

CHAPTER 26

WATER

PART 1

WATER SYSTEM

A. Administration of Water System

- §26-101. Delegation of Responsibility; Rules and Regulations Authorized
- §26-102. Duties of Water System Committee
- §26-103. Duties of Borough Manager
- §26-104. Limitation of Employees Authority
- §26-106. Compensation for Employees Prohibited

B. Applications for Service; Cancellation of Service Contracts

- §26-111. Applications for Service
- §26-112. Cancellation of Service Contract

C. Water Rates; Billing; Collection Procedures

- §26-121. Basic Price Quantities; Minimum Rates
- §26-122. Construction Use of Water
- §26-123. Meter Recorded Quantity Final
- §26-124. Testing Meter Accuracy; Adjusting Account
- §26-125. Bills and Notices; Preparing and Delivering
- §26-126. Payment of Bills; Delinquency Charges
- §26-127. Failure to Pay Bill Constitutes Grounds for Turnoff
- §26-128. Conditions for Resuming Service

D. Water System Rules; General Provisions

- §26-131. Compliance with Rules and Regulations; Liability of Owners for Water Supplied
- §26-132. Unauthorized Use; Special Permit Required
- §26-133. Right of Entry to Premises
- §26-134. Right to Turn Off Service
- §26-135. Borough's Liability for Service Interruption
- §26-136. Tampering With or Obstructing Water System

E. Water System Rules; Equipment, Operation, Maintenance

- §26-141. Tapping of Water Mains
- §26-142. Water Meters
- §26-143. Water Service Pipes

- §26-144. Service Line Locations
- §26-145. Corporation Cocks; Permit for Oversize Ones
- §26-146. Charges for Ferrules and Corporation Cocks
- §26-147. Requirements for Working on Water System
- §26-148. Safeguards for Excavations; Restoring Promptly; Compliance with Street Opening Regulations
- §26-149. Care of Equipment
- §26-150. Limit of Borough's Maintenance Responsibility

F. Penalties

- §26-161. Penalties

PART 2

WELLHEAD PROTECTION

A. General Provisions

- §26-201. Statement of Findings
- §26-202. Purpose
- §26-203. Statutory Authority
- §26-204. Zoning Code and Subdivision and Land Development Regulations Amendments
- §26-205. Applicability
- §26-206. Compatibility with Other Requirements

B. Definitions

- §26-211. Definitions

C. Wellhead Protection Requirements

- §26-221. General Requirements
- §26-222. Wellhead Protection Areas

D. General Regulations

- §26-231. Continuation of Existing Land Uses, Physical Facilities and Activities
- §26-232. Existing Sewage Disposal Problems
- §26-233. Public Water Supply Projects

E. Subdivision and Land Development

- §26-241. General Requirements
- §26-242. Wellhead Protection Areas Mapping
- §26-243. Wellhead Protection Area Restrictions

F. Special Wellhead Protection Provisions

- §26-251. General Requirements
- §26-252. Wellhead Protection Area Requirements

G. Inspections

- §26-261. Borough Inspections
- §26-262. Inspections by the County Conservation District
- §26-263. Right-of-Entry

H. Wellhead Protection Area Map

- §26-271. Official Map
- Appendix A. Wellhead Protection Area
- Appendix B. Wellhead Protection Area II

PART 3

CONTROL OF BACKFLOWS

- §26-301. General
- §26-302. Definitions
- §26-303. Requirements

PART 1
WATER SYSTEM

A. Administration of Water System

§26-101. Delegation of Responsibility; Rules and Regulations Authorized.

The water system now owned by the Borough of Aspinwall shall be under the exclusive charge of the Borough Council, and the Borough Manager shall be in charge of the normal operation and administration of the water system. Council shall make such rules and regulations as shall be deemed necessary for the operation and protection of the said Borough water system.

(Ord. 806, 6/11/1986, §13601)

§26-102. Duties of Water System Committee.

It shall be the duty of the Water System Committee of the Borough Council to see that all orders and rules of Council relating to the water system are faithfully observed; to approve all bills incurred in the operation of the Borough water system; to audit the books of the Borough Manager as pertain to this; and to consider and report on all matters relating to the said water system as may be referred to the said committee by the Borough Council.

(Ord. 806, 6/11/1986, §13602)

§26-103. Duties of Borough Manager.

1. It shall be the duty of the Borough Manager to see that all rules and regulations and all orders of Council as to the management of the water system are enforced; that all contracts relating thereto are faithfully performed; that all bills, claims and accounts that may accrue on account of the water system are approved.
2. The Manager shall issue orders for supplies and materials necessary for the operation of the water system.
3. The Manager shall report to Council at the regular monthly meeting the condition of the entire water system together with any suggestions he may wish to make for the better operation of the same. He shall make an annual report of the expenses of operating the water system and the income therefrom, and a statement of all materials and appliances on hand at the time of making the said report. He shall have taken a quarterly reading of all water meters and maintain an accurate record of the readings of said water meters; and perform or have performed such other duties as Council shall prescribe, pertaining to the water system.

(Ord. 806, 6/11/1986, §13603)

WATER

§26-104. Limitation of Employees Authority.

No agent or employee of the Borough shall have authority to bind it by any promise, agreement or representation not provided for in these rules, unless such authority is in writing, signed by the Water System Committee of Borough Council and/or the Borough Manager.

(Ord. 806, 6/11/1986, §13604)

§26-105. Compensation for Employees Prohibited.

Inspectors, agents or any employees of the Borough are expressly forbidden to demand or accept any compensation for services rendered to consumers of water.

(Ord. 806, 6/11/1986, §13605)

B. Applications for Service; Cancellation of Service Contracts

§26-111. Applications for Service.

1. All persons desiring to connect with the Borough water system shall apply to the Borough Manager.
2. No water will be furnished or service connection made except upon written application on an application blank prepared by the Water System Committee for that purpose, and after approval of such application by the Committee. Upon the endorsement of the Water System Committee of an application, the Borough Manager shall be responsible for the collection of all applicable fees and the initiation of service.

(Ord. 806, 6/11/1986, §13606)

§26-112. Cancellation of Service Contract.

1. **Cancellation.** Contracts may be canceled by the order of the Water System Committee for proper cause at any time upon giving five days notice of such cancellation.
2. **Grounds.** Contracts shall be subject to cancellation and service thereunder discontinued for the following reasons:
 - A. For misrepresentation in application as to property or fixtures to be supplied or the use to be made of the water supplied.
 - B. For the waste of water through improper or imperfect piping.
 - C. For neglect to make or review advance payments as required by these rules, or for nonpayment of any account for water supplied or for service maintenance.
 - D. For the use of water for any property or purpose than that described in the application.
 - E. For the interference or tampering with the meter measuring the supply of water, or with seals on meters or special service wire or pipes or the seals thereon, or any appliance of the borough controlling or regulating the supply of water.
 - G. For the violation of any rule of the Borough water system.

(Ord. 806, 6/11/1986, §13607)

C. Water Rates; Billing, Collection Procedures

§26-121. Basic Price Quantities; Minimum Rates.

All water supplied by the Borough to consumers shall be metered and shall be paid for at rates established from time to time by resolution of Borough Council.

(Ord. 806, 6/11/1986, §13608; as amended by Ord. 855, 11/15/1989, §13608)

§26-122. Construction Use of Water.

Any person, firm or corporation desiring water for building purposes shall, upon completing the excavations for the foundation walls, etc., have placed therein a meter. All water used thereafter in and about the premises shall be charged for at a rate in an amount as established from time to time by resolution of Borough Council. A discount of 20% will be allowed on all bills for water paid within 10 days after the date of same, provided that the discount allowed does not affect the minimum charge.

(Ord. 806, 6/11/1986, §13609; as amended by Ord. 995, 12/10/2003)

§26-123. Meter Recorded Quantity Final.

The quantity recorded by the water meter shall be conclusive both on the part of the consumer and the Borough as to water use, except where a meter has been found defective or ceases to register. In such case, the quantity used during a previous corresponding period shall be taken until the defective meter is repaired or replaced.

(Ord. 806, 6/11/1986, §13610)

§26-124. Testing Meter Accuracy; Adjusting Account.

In case of a dispute of an account involving the accuracy of the registration of a meter, the meter will be tested by the Borough upon payment by the applicant of a testing charge in an amount as established from time to time by resolution of Borough Council, which will be returned to the applicant in case the meter is found to over register 2% or more, in case of such over registering. If the meter is found to be under registering 2% or more, registering shall be readjusted to correspond and the bill upon which the complaint was made corrected accordingly.

(Ord. 806, 6/11/1986, §13611; as amended by Ord. 995, 12/10/2003)

§26-125. Bills and Notices; Preparing and Delivering.

1. All bills for water used shall be prepared and mailed by the authorized Borough agent. The agent also shall notify the Borough Manager of all delinquencies for

WATER

water bills, and the Borough Manager shall be governed by the rules relating thereto.

2. Bills and notices relating to the Borough water system shall be mailed or delivered by the Borough agent to the property owner's last address as shown by the records of the Borough, and the Borough shall not be otherwise responsible for delivery. It shall be the responsibility of the property owner to file any change of address in writing with the Borough office.

(Ord. 806, 6/11/1986, §13612)

§26-126. Payment of Bills; Delinquency Charges.

1. Payment of bills shall be made by mail or to the authorized agent of the Borough. Water bills shall be payable on the first days of March, June, September and December of each year, except in case of the discontinuance of the use of water, when all bills become due and payable forthwith.
2. Any bill not paid by the due date established on the quarter billing shall be subject to delinquency and penalty charges as shall be adopted from time to time by resolution by Borough Council.

(Ord. 806, 6/11/1986, §13613)

§26-127. Failure to Pay Bill Constitutes Grounds for Turnoff.

Failure to pay for any water furnished within a period of 90 days after the bill for same has been rendered will be cause for the Borough Manager to shut off the water from said premises without further notice. Fees for water used for building purposes or occasional use shall be payable on demand. A shut-off fee, in an amount established from time to time by resolution of Borough Council shall be charged.

(Ord. 806, 6/11/1986, §13614; as amended by Ord. 995, 12/10/2003)

§26-128. Conditions for Resuming Service.

When water is shut off for nonpayment of bills or a violation of the terms of the application or the rules governing the water system, the water will only be turned on after all arrears due the Borough are paid along with an additional charge, in an amount as established from time to time by resolution of Borough Council, for turning on the water.

(Ord. 806, 6/11/1986, §13615; as amended by Ord. 995, 12/10/2003)

D. Water System Rules; General Provisions

§26-131. Compliance with Rules and Regulations; Liability of Owners for Water Supplied.

1. All consumers of Borough water and all persons desiring to connect with the water system of the Borough shall be subject to the rules and regulations contained in this Part, the Code or other ordinances of the Borough.
2. The owners of all premises supplied from the Borough water system shall be liable for payment for all water supplied to the said premises.

(Ord. 806, 6/11/1986, §13616)

§26-132. Unauthorized Use; Special Permit Required.

No person except the Public Works Foreman and the Chief of the Fire Department, or the officer in charge shall take water from any public fire hydrant, street washer, hose pipe or fountain except for fire purposes; nor shall anyone use any water for private purposes unless he shall first receive a special permit from the Borough Manager. When the Fire Chief wishes to use water for other purposes than fighting fire, he shall first notify the Borough Manager.

(Ord. 806, 6/11/1986, §13617)

§26-133. Right of Entry to Premises.

The Borough Manger or such other person as may be directed by him or the Council shall have free access at all reasonable hours to all premises and buildings for the purpose of reading, repairing or inspecting meters or for making such other investigations as may be necessary in the operation of the Borough water system. The person applying for admission to any premises may be identified by the proper identification of the Borough.

(Ord. 806, 6/11/1986, §13618)

§26-134. Right to Turn Off Service.

The Borough shall have and reserves the right at any time to shut off the water in the main lines without notice, in case of accidents, breakdowns or other unavoidable causes or for the purpose of making necessary connections, alterations, repairs or other work with the system. In case the water is to be shut off, the Borough Manager will, if possible, cause notice to be given all consumers in the district to be shut off at least 1 hour previous to the shutting off, unless the accident is such that time cannot be taken to so notify the consumers, then the water will be shut off without notice.

(Ord. 806, 6/11/1986, §13619)

WATER

§26-135. Borough's Liability for Service Interruption.

In case the supply of water should fail, whether from natural causes or accident in any way, the Borough shall not be liable for damages by reason of such failure nor shall it be liable in any event for damages to persons or property arising or resulting from the use of the water.

(Ord. 806, 6/11/1986, §13620)

§26-136. Tampering with or Obstructing Water System.

No person shall remove the cover of any public or private stop gate or street washer or deposit any dirt or other material in any stop gate box, turn any public or private stopcock or box or commit any act tending to obstruct the use thereof or in any manner injure any building, pipe, tools or fixtures of the said water system or trespass in any manner thereon.

(Ord. 806, 6/11/1986, §13621)

E. Water System Rules; Equipment, Operation, Maintenance

§26-141. Tapping of Water Mains.

The Borough retains the tapping of the water mains, furnishing of ferrules and corporation cocks; all the work to be done under the supervision of the water system foreman at the charge of the current rate as established by the Water System Committee of Council.

(Ord. 806, 6/11/1986, §13622)

§26-142. Water Meters.

1. **Furnishing, Installation.** All water meters shall be furnished and set by the Borough.
2. **Charge.** The charge for furnishing and installing water meters shall be based on the current cost of meters to the Borough, at the time of purchase, plus 50% of said purchase price.
3. **Location.** Meters shall be placed so as to be accessible at all times to the proper Borough agents and to be convenient for reading. Also, a proper place for the protection of the system must be provided by the applicant.
4. **Main Disconnect.** There shall be place in the water service line on the supply side of the meter a suitable stop cock.
5. **Repair.** Consumers shall notify the Borough Office or the Borough Manager of any damage to or nonworking of any meter as soon as the same comes to their knowledge.

(Ord. 806, 6/11/1986, §13623)

§26-143. Water Service Pipes.

All service pipes from point of union with the mains to the property to be supplied shall be seamless copper service pipe manufactured in accordance with and meeting the specifications of ASTM Class K Specifications and United States Government Type K Specifications W.T.-799. Swagged or flanged joints shall not be permitted.

(Ord. 806, 6/11/1986, §13624)

§26-144. Service Line Locations.

Service lines for water supply shall in no case be allowed to run across lots, that is, from one lot to another, but must be taken from the main in front of the premises or at the nearest point adjacent thereto, and run at right angles to the main line as far as the inside

WATER

of curb where the curb line stop will be set.

(*Ord. 806, 6/11/1986, §13625*)

§26-145. Corporation Cock; Permit for Oversize Ones.

In no case will corporation cocks of a larger size than 1 inch inside diameter be inserted in any of the water mains without the consent of the Borough Manager, as approved by the Water System Committee. In all cases where corporation cocks of a larger size are asked for, permission shall only be granted to enter such cocks of extra size on condition that the party procuring such grant shall pay the expense of putting on a wrought-iron band of proper width and thickness to strengthen the main, the cock to be tapped into both the band and main in order to preserve the full strength of the main pipe. A saddle may be used also to strengthen the main pipe.

(*Ord. 806, 6/11/1986, §13626*)

§26-146. Charges for Ferrules and Corporation Cocks.

The charge for ferrules or corporation cocks shall be in an amount as established from time to time by resolution of Borough Council.

(*Ord. 806, 6/11/1986, §13627; as amended by Ord. 995, 12/10/2003*)

§26-147. Requirements for Working on Water System.

Any plumber wishing to do work in connection with the water system shall file an application with the Borough Manager stating that he is a licensed plumber in accordance with the rules and regulations of Allegheny County and he is willing to be bound by all rules and regulations of the Borough water system. He also shall be held responsible for all damages sustained by the water system at his hand or on his account.

(*Ord. 806, 6/11/1986, §13628*)

§26-148. Safeguards for Excavations; Restoring Promptly; Compliance with Street Opening Regulations.

1. All streets or alleys excavated for laying or repairing water pipes shall be protected during the night, and shall be repaved without unnecessary delay; and any contractor or plumber having such work in charge shall be responsible for all damage that may occur by reason of said excavation being left open by him or them.
2. No person shall be permitted to open any paved street for the purpose of connecting to water mains or for repairing service lines without first complying with the provisions of Chapter 21, Street, Driveways, and Sidewalks, of this Code and any

other orders issued by the Borough Manager for the protection and preservation of the streets and water system.

(Ord. 806, 6/11/1986, §13629)

§26-149. Care of Equipment.

All connections and service lines for the supply of water and all fixtures inside the building supplied shall be maintained in good order by the owners or consumers, and all water meters shall be protected from frost at their own expense. Meters allowed to freeze by property owners will only be replaced at the expense of said owner. Failure to pay for said repairs or replacements shall be cause for the Borough Manager to have water shut off.

(Ord. 806, 6/11/1986, §13630)

§26-150. Limit of Borough's Maintenance Responsibility.

The Borough shall in no event be responsible for maintenance of water lines inside the building or water service lines out to the main lines, or for damages caused by water escaping therefrom; or for lines or fixtures on consumer's property; the Borough may shut off the service for any failure to carry out the provisions of this rule.

(Ord. 806, 6/11/1986, §13631)

F. Penalties

§26-161. Penalties.

1. Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$100 nor more than \$1000 for each violation, plus costs, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses.
2. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of this Part found to have been violated. All fines and penalties for the violation of this Part shall be paid to the Borough Treasurer.
3. The Borough may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part.

(Ord. 806, 6/11/1986, §13632; as amended by Ord. 995, 12/10/2003)

PART 2

WELLHEAD PROTECTION

A. General Provisions

§26-201. Statement of Findings.

The Borough Council of the Borough of Aspinwall finds that:

- A. The ground water underlying the Borough is a major source of its existing and future water supply, including drinking water.
- B. The ground water aquifers are integrally connected with, are recharged by, and flow into the surface waters, lakes and streams which constitute a major source of drinking water for the region.
- C. Accidental spills and discharges of toxic and hazardous materials may threaten the quality of such ground water supplies and related water resources in the Borough, posing potential public health and safety hazards.
- D. Unless preventive measures are adopted to control the discharge and storage of toxic and hazardous materials within the Borough, spills and discharges of such materials will predictably occur and with greater frequency and degree of hazard by reason of increasing construction, commercial and industrial development, population and vehicular traffic in the Borough.

(Ord. 930, 12/10/1997, §1)

§26-202. Purpose.

The purpose of this Part is to protect the public health, safety and welfare through the preservation of the Borough's major ground water resources to ensure a future supply of safe and healthful drinking water for the Borough, local residents and employees, and the general public. The designation of Wellhead Protection Areas I and II and careful regulation of land use, physical facilities and other activities within these areas can reduce the potential for ground water contamination.

(Ord. 930, 12/10/1997, §1)

§26-203. Statutory Authority.

The Borough is empowered to regulate these activities under the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, P.L. 805, as amended, 53 P.S. §10101 *et seq.* ("MPC").

WATER

(*Ord. 930, 12/10/1997, §1*)

§26-204. Zoning Code and Subdivision and Land Development Regulations Amendments.

By this Part, Parts 2B, 2C, 2D, 2F, 2G, 2H and Appendices A and B are enacted as amendments to the Zoning Ordinance, [Chapter 27 of the Aspinwall Code]. By this Part, Parts 2B, 2E, 2H and Appendices A and B are enacted as amendments to the Subdivision and Land Development Ordinance [Chapter 22 of the Aspinwall Code].

(*Ord. 930, 12/10/1997, §1*)

§26-205. Applicability.

1. This Part shall only apply to those areas of the Borough which are located within Wellhead Protection Areas I and II surrounding a protected public water supply well, as delineated on an official map available for inspection at the Borough office. Maps of the Wellhead Protection Area are included in Appendices A and B for general reference.
2. This Part regulates the following land uses, physical facilities and activities which have the potential to contaminate ground water:
 - A. Light industry.
 - B. Sewage disposal.
 - C. Manufacturing.
 - D. Injection wells.
 - E. Storage tanks, underground and aboveground.
 - F. Disposal facilities, solid waste, dump sites.
 - G. Subdivisions.
 - H. Land developments.

(*Ord. 930, 12/10/1997, §1*)

§26-206. Compatibility With Other Requirements.

Approvals issued pursuant to this Part do not relieve the applicant of the responsibility to secure the required permits or approvals for activities regulated by other applicable code, rule, act or ordinance.

(Ord. 930, 12/10/1997, §1)

B. Definitions

§26-211. Definitions.

ACHD - the Allegheny County Health Department.

AGRICULTURAL OPERATIONS - those operations which include tilling, cultivation and animal husbandry and which qualify as earthmoving pursuant to DEP, Chapter 102 Rules and Regulations.

CONE OF DEPRESSION - the area surrounding a pumping well within which the water table elevation has been lowered due to ground water withdrawal.

CONSERVATION DISTRICT - the Allegheny County Conservation District.

CONSERVATION PLAN - an erosion and sedimentation control plan prepared for agricultural properties as required by Chapter 102 of the DEP rules and regulations and as reviewed and approved by the Conservation District.

DEP - the Pennsylvania Department of Environmental Protection.

DETENTION POND - a basin designed to retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate through a defined outlet structure.

ENVIRONMENTAL HAZARD SURVEY FORM - a document authorized by the Pennsylvania Worker and Community Right-to-Know Act which, if required by the Department of Labor and Industry for a facility, describes the hazardous substances emitted, discharged or disposed of from the workplace.

EPA - the Federal Environmental Protection Agency.

HAZARDOUS MATERIAL - a product or waste, or combination of substances that because of the quantity, concentration, physical, chemical or infectious characteristics, if not properly treated, stored, transported, used or disposed of, or otherwise managed, would create a potential threat to public health through direct or indirect introduction into ground water resources and the subsurface environment which includes the soil and all subsequent materials located below. Such hazardous material includes, but is not limited to, materials which may be included on one or more of the following lists:

- A. Occupational Safety and Health Act, 29 CFR, Part 1910, Subpart Z, Extremely Hazardous Substance List.
- B. American Conference of Governmental Industrial Hygienists, *Threshold Limit Values for Chemical Substances and Physical Agents in the Work Environment* (latest edition).
- C. National Toxicology Program, *Annual Report on Carcinogens* (latest edition).

WATER

- D. International Agency for Research on Cancer *Monographs* (latest edition).
- E. Commonwealth of Pennsylvania, Department of Labor and Industry, Hazardous Substance List (latest edition).
- F. “Hazardous Substances” defined pursuant to §311 of the Federal Clean Water Act.
- G. “Toxic Materials” defined pursuant to §307 of the Federal Clean Water Act.
- H. “Hazardous Wastes” defined pursuant to Chapter 75 of DEP rules and regulations.
- I. “Hazardous Wastes” defined pursuant to §101 of the Federal Resource Conservation and Recovery Act.

HAZARDOUS SUBSTANCE SURVEY FORM - a document required by the Pennsylvania Worker and Community Right-to-Know Act which provides a listing of all hazardous substances found in the workplace.

LAND DEVELOPMENT - any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
 - (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Development in accordance with §501(1.1) of the Municipalities Planning Code.

LARGE VOLUME SUBSURFACE SEWAGE DISPOSAL SYSTEM - a sewage disposal facility which is designed to discharge directly to the soil profile, whether natural or enhanced, and which has a design capacity in excess of 10,000 gallons per day.

LIGHT INDUSTRY - industrial, commercial, public or retail establishments which engage in manufacturing, fabrication or service activities and which appear on the following list.

- A. Bulk agricultural products dealers and distributors.

- B. Mining and quarrying.
- C. Highway deicing material storage.
- D. Textile and apparel products.
- E. Lumber and wood preserving.
- F. Printing and publishing.
- G. Chemical products.
- H. Leather products.
- I. Mineral products; glass and cement.
- J. Metal products.
- K. Machine shops.
- L. Electronics and electronic equipment.
- M. Transportation maintenance.
- N. Scrap trade and metal container recyclers.
- O. Chemical and petroleum storage and sales.
- P. Automotive repair, services and related parking.
- Q. Personal services; laundry, pest control and photo finishing.
- R. Repair services; furniture, welding and septage services.
- S. Amusement and recreation.
- T. Educational, medical and engineering laboratories.

MANUFACTURING - industrial establishments which produce primary products from raw materials.

NUTRIENT MANAGEMENT PLAN - a document applicable to agricultural properties which describes the storage, handling and application of fertilizers, including manure, related to agricultural production.

PERSON - an individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

WATER

PESTICIDE MANAGEMENT PLAN - a document applicable to agricultural properties which describe the storage, handling and application of products to control pests and undesirable vegetation related to agricultural production.

POLLUTION INCIDENT PREVENTION (PIP) PLAN - an environmental emergency response document authorized by Chapter 101 of the DEP rules and regulations which is applicable to facilities which handle materials with the potential for accidental pollution of the waters of the Commonwealth. Specific requirements for a PIP plan are contained in "Guidelines for the Development and Implementation of Environmental Emergency Response Plans," PADEP, September 1990, as amended. [*Ord. 995*]

PREPAREDNESS, PREVENTION AND CONTINGENCY (PPC) PLAN - an environmental emergency response document required by the Federal Resource Conservation and Recovery Act to facilities which generate, store, treat or dispose of hazardous wastes. Hazardous wastes are those defined within the DEP regulations or other wastes which meet specific characteristic tests.

PROFESSIONAL - a person who, by education, experience, certification or licensure has demonstrated expertise in a particular field.

PROTECTED PUBLIC WATER SUPPLY WELL - any well used or intended to be used as a ground water supply source as part of a public water supply system for which wellhead protection areas have been established.

RETENTION POND - a basin designed to retard stormwater runoff, by temporarily storing the runoff, which does not have a defined outlet structure and which empties through a combination of evaporation, transpiration and infiltration.

SARA TITLE III OFF-SITE PLAN - a document required by the Federal Superfund Amendments and Reauthorization Act (SARA) which applies to employers who have extremely hazardous substances in the workplace. The document identifies the transportation route of extremely hazardous substances, a description of the workplace and a risk analysis of the operation to the surrounding community.

SARA TITLE III TIER I AND TIER II REPORTS - documents required by the Federal Superfund Amendments and Reauthorization Act (SARA) which apply to employers who have extremely hazardous substances in the workplace. The Tier I document lists the amounts and locations within the workplace of extremely hazardous substances by type of hazard (e.g., fire, explosion, acute health hazard). The Tier II document provides a listing of each specific extremely hazardous substance in the workplace and each specific hazardous substance exceeding 10,000 pounds on site at any one time.

SEWAGE - any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation, or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 394), known as "The Clean Streams Law," as amended.

SEWAGE DISPOSAL SYSTEM - a combination of piping, tanks or other facilities for the collection, conveyance, treatment and disposal of sewage.

SEWAGE ENFORCEMENT OFFICER (SEO) - the official hired by the Borough who issues and reviews sewage system disposal permits and conducts such inspections and investigations as are necessary to implement the provisions of the Pennsylvania Sewage Facilities Act.

SEWAGE SLUDGE - the coarse screenings, grit, and dewatered or air-dried products of sewage treatment, septic and holding tank pumpings and any other residues from sewage collection and treatment systems which require disposal.

SINKHOLES - a closed, generally circular, depression in the land surface of variable depths and width, characterized by a distinct breaking of the ground surface, and formed by solution of carbonate bedrock and downward movement of soil into bedrock voids or by collapse of underlying caves.

SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN - an environmental quality emergency response document required by the Federal Clean Water Act for facilities which handle hazardous substances as defined in the Clean Water Act. The plan requirements are virtually the same as for a PIP plan.

SPILL PREVENTION RESPONSE (SPR) PLAN - an environmental emergency response document required by the Pennsylvania Storage Tank and Spill Prevention Act (STSPA) for facilities with an aboveground storage tank exceeding a volume of 21,000 gallons. The plan requirements are specified in §§902 and 903 of the STSPA. A downstream notification requirement applies to regulated tanks adjacent to surface waters.

STORAGE OF HAZARDOUS MATERIAL - the containment of hazardous material on a temporary basis in such a manner as not to constitute disposal of such waste. It shall be presumed that the containment of hazardous material in excess of 1 year constitutes disposal. This presumption can be overcome by clear and convincing evidence to the contrary.

STORAGE TANK - ABOVEGROUND - a tank which contains substances as regulated under the Storage Tank and Spill Prevention Act (STSPA) which meets the following criteria: a stationary tank with 250 gallons or more of capacity with greater than 90% of its capacity aboveground. Specific exceptions to this definition are included within the STSPA.

STORAGE TANK - UNDERGROUND - a tank which contains substances as regulated under the Storage Tank and Spill Prevention Act (STSPA) which meets the following criteria: a tank with 110 gallons or more of capacity with 10% or greater of its capacity beneath the ground surface. Specific exceptions to this definition are included within the STSPA.

SUBDIVISION - the division and redivision of a lot, tract or parcel of land by any means into two or more lots, parcels or other divisions of land including changes in the existing

WATER

lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer or ownership or building or lot development provided; however, that the subdivision by lease of land or agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

UNDERGROUND INJECTION WELL - a bored, drilled, driven or dug well for the emplacement of fluids into the ground (except drilling muds and similar materials used in well construction).

WASTE - garbage, refuse and other discarded materials including, but not limited to, solid and liquid materials resulting from municipal, industrial, commercial, institutional, agricultural and residential activities.

WELLHEAD PROTECTION AREA I - WELLHEAD ZONE (WHZ) - that area of the land surface within a 440 foot radius of the mid-point of the Borough's protected public water supply wells, as depicted on Appendix A.

WELLHEAD PROTECTION AREA II - ZONE OF CONTRIBUTION (ZOC) - that area of the land surface which, through recharge or other means, provides water to sustain the yield of the Borough's protected public water supply well, as depicted on Appendix B.

(Ord. 930, 12/10/1997, §1; as amended by Ord. 995, 12/10/2003)

C. Wellhead Protection Requirements

§26-221. General Requirements.

No land use, physical facilities or activity specified in §26-205 shall occur within Wellhead Protection Areas I or II except in strict conformance with the provisions of this Part.

(Ord. 930, 12/10/1997, §1)

§26-222. Wellhead Protection Areas.

1. Mapping of Wellhead Protection Areas.

- A. To implement the provisions of this Part, wellhead protection areas surrounding protected public water supply wells are hereby established. The boundaries of Wellhead Protection Areas I and II are shown on official maps which are available for inspection at the Borough office. Copies of the official maps at a reduced scale are included in Appendices A and B for general reference.
- B. Should any person challenge the boundary of Wellhead Protection Areas I or II, it shall be the responsibility of that person to retain a recognized professional with competence in the field to determine more accurately the precise boundary of the disputed area. The final boundary to be used will be determined by the Borough, with assistance from ACHD, the Borough Engineer and/or a professional hydro geologist designated by the Borough, as appropriate.

2. Prohibitions within Wellhead Protection Areas I and II.

- A. Except as provided in Part 2D, the following land uses, physical facilities and activities are prohibited:
 - (1) Facilities which generate, store, treat or dispose of hazardous material and which are required to maintain a Pollution Incident Prevention (PIP); Spill Prevention Control and Countermeasure (SPCC); Preparedness, Prevention and Contingency (PPC); Spill Prevention Response (SPR); or SARA Title III Off-Site Plan.
 - (2) Bulk agricultural products dealers and distributors.
 - (3) Large volume subsurface sewage disposal systems.
 - (4) Large volume spray irrigation sewage disposal systems.
 - (5) Underground injection wells.
 - (6) Aboveground storage tanks.

WATER

- (7) Underground storage tanks.
- (8) Waste disposal facilities.
- (9) Land application of sewage sludge.
- (10) Stormwater retention facilities.
- (11) Unlined stormwater detention facilities.
- (12) Operations and/or facilities which are involved with the manufacture, storage or processing of materials and which fall within the following categories:
 - (a) Bulk agricultural products dealers and distributors.
 - (b) Mining and quarrying.
 - (c) Highway deicing material storage.
 - (d) Textile and apparel products.
 - (e) Lumber and wood preserving.
 - (f) Printing and publishing.
 - (g) Chemical products.
 - (h) Leather products.
 - (I) Mineral products; glass and cement.
 - (j) Metal products.
 - (k) Machine shops.
 - (l) Electronics and electronic equipment.
 - (m) Transportation maintenance.
 - (n) Scrap trade and metal container recyclers.
 - (o) Chemical and petroleum storage and sales.
 - (p) Automotive repair, services and related parking.
 - (q) Personal services; laundry, pest control and photo finishing.
 - (r) Repair services; furniture, welding and septage services.

- (s) Amusement and recreation.
- (t) Educational, medical and engineering laboratories.

(Ord. 930, 12/10/1997, §1)

D. General Regulations

§26-231. Continuation of Existing Land Uses, Physical Facilities and Activities.

Any land use, physical facility or activity prohibited within Part 2C lawfully in existence within Wellhead Protection Areas I or II prior to the effective dates of this Part may continue to exist on the parcel upon which it is located subject to meeting existing applicable Federal, State and local regulations including the requirements included within Part 2D.

(Ord. 930, 12/10/1997, §1)

§26-232. Existing Sewage Disposal Problems.

Notwithstanding the provisions of Part 2C, large volume subsurface sewage disposal systems may be used if necessary to solve sewage disposal problems associated with existing development.

(Ord. 930, 12/10/1997, §1)

§26-233. Public Water Supply Projects.

Notwithstanding the provisions of Part 2C, public water supply projects which require the use of chemicals for disinfection or treatment will be allowed in all wellhead protection areas subject to their approval, construction and operation in accordance with DEP regulations.

(Ord. 930, 12/10/1997, §1)

E. Subdivision and Land Development

§26-241. General Requirements.

No subdivision or land development shall occur within Wellhead Protection Areas I or II except in strict conformance with the provisions of this Part.

(Ord. 930, 12/10/1997, §1)

§26-242. Wellhead Protection Areas Mapping.

1. To implement the provisions of this Part, wellhead protection areas surrounding protected public water supply wells are hereby established. The boundaries of Wellhead Protection Areas I and II are shown on official maps which are available for inspection at the Borough office. Copies of the official maps at a reduced scale are included in Appendices A and B for general reference.
2. Should any person challenge the boundary of Wellhead Protection Areas I or II, it shall be the responsibility of that person to retain a recognized professional with competence in the field to determine more accurately the precise boundary of the disputed area. The final boundary to be used will be determined by the Borough, with assistance from ACHD, the Borough Engineer and/or a professional hydro geologist designated by the Borough, as appropriate.

(Ord. 930, 12/10/1997, §1)

§26-243. Wellhead Protection Area Restrictions.

1. Subdivisions and land developments within Wellhead Protection Areas I or II for which stormwater management controls are required pursuant to the subdivision and land development regulation [Chapter 22], shall be designed consistent with the following:
 - A. Stormwater retention basins shall be prohibited.
 - B. Stormwater detention basins shall be designed with an impermeable liner to prohibit the infiltration of impounded water to the subsurface.
2. Subdivisions and land developments within Wellhead Protection Areas I or II as mapped in Appendices A and B shall have the following preliminary plan requirements in addition to those requirements of the subdivision and land development regulations [Chapter 22]:
 - A. A recognized professional with competence in the field shall review aerial photographs, soils, geologic and other available related data as the data relates to the subject property. The professional shall also conduct a site inspection of the property.

WATER

- B. Based on the work required by subsection (1)(A), above, the professional shall prepare a map of the site showing all karst features or feature indicators. The mapping shall indicate, but shall not be limited to, the following:
- (1) Closed depressions.
 - (2) Open sinkholes.
 - (3) Seasonal high water table indicators.
 - (4) Outcrops of bedrock.
 - (5) Surface drainage into ground.
 - (6) “Ghost lakes” after rainfall.
 - (7) Lineaments and faults.
 - (8) Limonite excavations and quarries.
 - (9) Geologic contacts.
- C. Based upon the work performed in subsections (2)(A) and (2)(B), above, the professional shall determine what further testing should be done by the applicant to ensure compliance with the performance standards set forth in subsection (3), below. Testing methodology shall be reasonable under the circumstances, including (1) the scale of the proposed development, and (2) the hazards revealed by examination of available data and site inspection.
- D. The applicant shall cause the additional testing established in subsection (2)(C), above, to be done. A study report shall be submitted and referred to the Borough Engineer. This study includes a map of the area, all test results, and a recommendation on the mitigating measures to be taken to meet the standards of subsection (3), below.
- E. The Borough Engineer shall report to the Borough Planning Commission, with a copy to the landowner, his or her opinion as to the adequacy of the study and as to the capability of the site to support the proposed development in a manner in which the risks attendant to the development in carbonate areas are either eliminated or minimized. Recommendations for site development including stormwater management, the layout of utility lines, grading and building location may be included. Additional studies or testing as deemed necessary by the Borough Engineer in order to produce an adequate study given the scale of the proposed development and the hazards revealed may be required of the applicant.
3. Subdivision and land developments within Wellhead Protection Areas I and II as mapped in Appendices A and B shall have the following design requirements:

- A. All buildings, structures, impervious surfaces and utilities shall be so situated, designed and constructed as to minimize the risk of new sinkhole formation and of the accelerated introduction of contaminants and pollution into the wellhead protection area through existing or future sinkholes.
- B. Stormwater shall not be redirected into a sinkhole.

(Ord. 930, 12/10/1997, §1)

F. Special Wellhead Protection Provisions

§26.251. General Requirements.

No land use, physical facility or activity specified in §26-205 shall occur within Wellhead Protection Areas I or II except in strict conformance with the requirements of this Part 2F.

(Ord. 930, 12/10/1997, §1)

§26-252. Wellhead Protection Area Requirements.

The following land uses, physical facilities and activities, located within Wellhead Protection Areas I or II which are specifically allowed in Part 2C or Part 2D, shall meet the following conditions:

LAND USE, PHYSICAL FACILITY OR ACTIVITY	CONDITIONS
1. Facilities which generate, store, treat or dispose of hazardous materials which are required to Maintain a Pollution Incident Prevention (PIP); Spill Prevention Control and Countermeasure (SPCC); Preparedness, Prevention and Contingency (PPC); Spill Prevention response (SPR); or SARA Title III Off-Site Plan.	(a) A current PIP, SPCC, PPC, SPR or SARA Title III Off-Site Plan must be filed with the Borough. (b) A current Hazardous Substance Survey Form, Environmental Hazard Survey Form and SARA Title III Tier I and Tier II Report must be filed with the Borough.
2. Bulk agricultural products dealers and distributors	(a) At a minimum, a current plan meeting the requirements of a PIP Plan must be filed with the Borough. (b) A current Hazardous Substance Survey Form, Environmental Hazard Survey Form and SARA Title III Tier I and Tier II Report must be filed with the Borough.

WATER

LAND USE, PHYSICAL FACILITY OR ACTIVITY	CONDITIONS
3. Large volume subsurface sewage disposal systems and large volume spray irrigation sewage disposal systems	(a) A current permit from the Department of Environmental Protection must be filed with the Borough. (b) DEP required water quality monitoring reports must be filed with the Borough.
4. Underground injection wells (Classes I, II, III and V)	(a) A current registration from the Environmental Protection Agency must be filed with the Borough.
5. Aboveground storage tanks and underground storage tanks	(a) A current registration from the Department of Environmental Protection must be filed with the Borough.
6. Waste disposal facilities	(a) A current permit from the Department of Environmental Protection must be filed with the Borough. (b) A current PPC plan, if required for the facility by DEP regulations, must be filed with the Borough. (c) DEP required water quality monitoring reports must be filed with the Borough. (d) DEP required water pollution abatement plans must be filed with the Borough.
7. Agricultural operations	(a) The Conservation Plan prepared according to Chapter 102 of DEP regulations must include a Pesticide Management Plan and a Nutrient Management Plan. (b) Within areas of carbonate bedrock as delineated in Appendix A, the Conservation Plan prepared according to Chapter 102 of DEP regulations must include the identification of sinkholes and a mitigation plan.

**LAND USE,
PHYSICAL FACILITY OR
ACTIVITY**

CONDITIONS

8. Sewage disposal facilities
- (a) Sewage disposal facilities must be operated and maintained to prevent discharge of untreated or partially treated sewage to the surface or ground waters.
 - (b) On-lot sewage disposal systems must be inspected by the Sewage Enforcement Officer (SEO) and any necessary repairs or maintenance must be performance prior to the expansion or conversion of the land use served.
 - (c) On-lot sewage disposal systems must be inspected by the Sewage Enforcement Officer and any necessary repairs or maintenance must be performed prior to transfer of property ownership.

(Ord. 930, 12/10/1997, §1)

G. Inspections

§26-261. Borough Inspections.

1. The Borough Engineer or his designee shall be authorized to inspect the following facilities located within Wellhead Protection Areas I or II for purposes of determining compliance with this Part and any Federal or State permit or regulation requirements upon direction by the Borough Council:
 - A. Facilities with PIP, SPCC, PPC, SPR or SARA Title III off-site plans.
 - B. Bulk agricultural products dealers and distributors.
 - C. Large volume subsurface sewage disposal systems.
 - D. Large volume spray irrigation sewage disposal systems.
 - E. Underground and aboveground storage tanks.
 - F. Underground injection wells.
 - G. Waste disposal facilities.
 - H. Sewage sludge land application sites.
 - I. Other industrial and commercial facilities.
2. This schedule of inspections shall be determined by the Borough for each type of facility. Inspectors shall be responsible for reporting any violations to the Borough. The Borough will inform ACHD, DEP or EPA, as appropriate, of any possible violations or their regulations for the purpose of follow-up actions by those agencies.

(Ord. 930, 12/10/1997, §1)

§26-262. Inspections by the County Conservation District.

The County Conservation District shall be authorized to inspect the following activities located within Wellhead Protection Areas I or II on an as needed basis:

- A. Earthmoving activities covered by an Erosion and Sedimentation Plan under Chapter 102 of DEP regulations.

(Ord. 930, 12/10/1997, §1)

§26-263. Right-of-Entry.

Upon presentation of the proper credentials, duly authorized representatives of the

WATER

Borough may enter at reasonable times upon any property within a Wellhead Protection Area to investigate or ascertain whether the requirements of this Part are being met.

(Ord. 930, 12/10/1997, §1)

H. Wellhead Protection Area Map

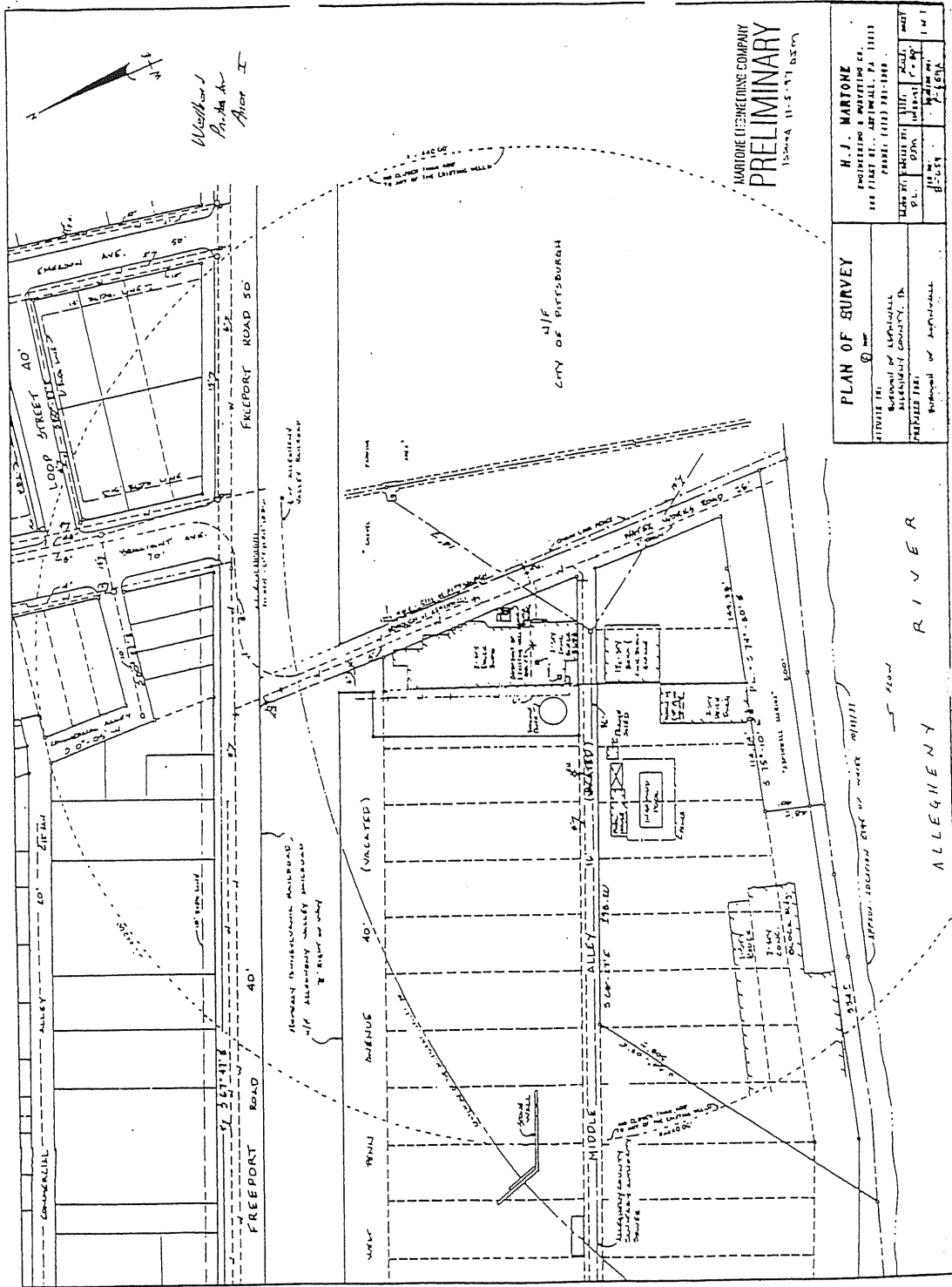
§26-271. Official Map.

The maps attached as Appendices A and B depicting Wellhead Protection Areas I and II respectively are declared to be a part of this Part.

(Ord. 930, 12/10/1997, §1)

APPENDIX A

WELLHEAD PROTECTION AREA I



141-124

APPENDIX B

WELLHEAD PROTECTION AREA II

Wellhead Protection Area II

FIGURE 4.2.1

CALCULATED CAPTURE ZONES FOR
ASPINWALL, SHARPSBURG AND SHALER
WELL FIELDS



from Pittsburgh East, PA USGS Quadrangle Map

CAPTURE ZONE DELINEATION	
ASPINWALL	
SHARPSBURG	
SHALER	

SCALE:
1 inch = 2000 feet

NORTH

141-26

PART 3

CONTROL OF BACKFLOW

§26-301. General.

1. Purpose of Part.

- A. To protect the safe drinking water supply of the Borough of Aspinwall from the possibility of contamination or pollution by requiring compliance with State and local plumbing codes, health regulations, OSHA and other applicable industry standards for water system safety within the consumer's internal distribution system(s) or private water system(s). Compliance with these minimum safety codes will be considered reasonable vigilance for prevention of contaminants or pollutants which could backflow into the public drinking water systems.
- B. To promote reasonable elimination or control of cross connections in the plumbing fixtures and industrial piping system(s) of the consumer, as required by State and local plumbing codes, health regulations, OSHA and other applicable industry standards to assure water system safety.
- C. To provide for the administration of a continuing program of backflow prevention which will systematically and effectively prevent the contamination or pollution of all water systems.

2. Responsibility.

- A. The Borough of Aspinwall shall be responsible for the protection of the drinking water distribution system from foreseeable conditions leading to possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.
- B. Drinking water system surveys/inspections of the consumer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing the Borough of Aspinwall, survey records shall indicate compliance with the aforementioned health and safety standards. All such records will be maintained by the Borough of Aspinwall.
- C. The Borough of Aspinwall shall notify, in writing, all consumers of the need for the periodic system survey to insure compliance with existing applicable minimum health and safety standards.
- D. Selection of an approved backflow prevention assembly for containment control required at the service entrance shall be determined from the results of the system survey.

WATER

3. **Consumer's Responsibility.**

- A. To comply with this Part as a term and condition of supply and consumer's acceptance of service is admittance of his/her awareness.
- B. It shall be the responsibility of the consumer to purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Part.

4. **Plumbing Official Responsibility.**

- A. The plumbing official's responsibility to enforce the applicable Sections of the plumbing code begins at the point of service (downstream or consumer side of the meter) and continues throughout the developed length of the consumer's water system.
- B. Water vacating the drinking water supply must do so via approved air gap or approved mechanical backflow prevention assembly, properly installed and in accordance with the Local Plumbing Code.

5. **Certified Backflow Assembly Technicians, Surveyors or Repair Persons Responsibilities.**

- A. Whether employed by the consumer or a utility to survey, test, repair or maintain backflow prevention assemblies the certified backflow technicians, surveyors or repair persons will have the following responsibilities:
 - (1) Insuring acceptable testing equipment and procedures are used for testing, repairing, or overhauling backflow prevention assemblies.
 - (2) Make reports of such testing and/or repair to the consumer, water purveyor, and the Bureau of Drinking Water/Sanitation on forms approved for such use by the Bureau of Drinking Water/Sanitation, and within the time frames prescribed by the Bureau of Drinking Water/Sanitation.
 - (3) The report shall include the list of materials or replacement parts used.
 - (4) Insuring replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
 - (5) Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.
 - (6) A certified technician shall perform all tests of the mechanical devices/assemblies and be responsible for the competence and accuracy of all tests and reports.

- (7) Insuring his license is current, the testing equipment being used is acceptable to the State, and is in proper operating condition.
 - (8) Be equipped with, and be competent to use, all necessary tools, gauges and other equipment necessary to properly test and maintain backflow prevention assemblies.
 - (9) The certified technician conducting the test must tag each double check valve, pressure vacuum breaker, reduced pressure backflow assembly and high hazard air gap, showing the serial number, date tested and by whom. The technician's license number must also be on this tag.
- B. In case of a consumer requiring a commercially available technician, any certified technician is authorized to make the test and report the results of that test to the consumer, water purveyor and the State Health Department, Allegheny County Health Department. If such a commercially tested assembly is in need of repair, a licensed journeyman or trades person recognized by the authority having jurisdiction shall make the actual repair.

(Ord. 909, 7/13/1995, §1)

§26-302. Definitions.

WATER PURVEYOR - the person designated to be in charge of the Water Department of the Borough of Aspinwall is invested with the authority and responsibility for the implementation of an effective backflow prevention program and for the enforcement of the provisions of this Part.

APPROVED BACKFLOW ASSEMBLY - accepted by the State Department of Health, Allegheny County Health Department, as meeting an applicable specification or as suitable for the proposed use.

AUXILIARY WATER SUPPLY - any water supply on or available to the premises other than the purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or "used waters" or "industrial fluids." These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have authority for sanitary control.

BACKFLOW - the reversal of the normal flow of water caused by either back-pressure or back-siphonage.

BACK-PRESSURE - the flow of water or other liquids, mixtures or substances under pressure into the feeding distribution pipes of a potable water supply system from any source(s) other than the intended source.

WATER

BACK-SIPHONAGE - the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source(s) other than the intended source, caused by the reduction of pressure in the potable water supply system.

BACKFLOW PREVENTION ASSEMBLY - an assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Local Plumbing Code and the Backflow Prevention Program approved by the State.

CONTAMINATION - means a degradation of the quality of the potable water supply by sewage, industrial fluids or waste liquids, compounds or other materials.

CROSS CONNECTION - any physical connection or arrangement of piping or fixtures which may allow nonpotable water or industrial fluids or other material of questionable quality to come in contact with potable water inside a distribution system. This would include any temporary connections, such as swing connections, removable sections, four way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multiport tubes or other plumbing arrangement.

CROSS CONNECTION-CONTROLLED -

- A. A connection between a potable water system and a nonpotable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.
- B. Whenever the public water purveyor deems a service connection's water usage contributes a sufficient hazard to the water supply, an approved backflow prevention assembly shall be installed on the service line of the identified consumer's water system, at or near the property line, or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line. The type of protective assembly required shall depend upon the degree of hazard which exists at the point of cross connection (whether direct or indirect), applicable to local and State requirements or resulting from the required survey. All presently installed backflow prevention assemblies which do not meet the requirements of this Section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained shall, except for the inspection and maintenance requirements be excluded from the requirements of these rules so long as the water purveyor is assured that they will satisfactorily protect the public water system. Whenever the existing assembly is moved from the present location or, requires more than the minimum maintenance or, when the water purveyor finds that the operation or maintenance of this assembly constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the local and State requirements. It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys/inspections, and operational tests made at least once per year at the consumer's expense. In those instances where the Public Water Purveyor deems the hazard to be great, he may require

certified surveys/inspections and tests at a more frequent interval. It shall be the duty of the public water purveyor to see that these tests are made according to the standards set forth by the State Department of Health, Allegheny County Health Department.

CROSS CONNECTION-CONTAINMENT - the installation of an approved backflow assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find and permanently eliminate or control all actual or potential cross connections within the customer's water system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross connections which cannot be effectively eliminated or controlled at the point of the cross connection (isolation).

(Ord. 909, 7/13/1995, §2)

§26-303. Requirements.

1. **Policy.** No water service connection to any premises shall be installed or maintained by the public water purveyor unless the water supply is protected as required by State laws, regulations, codes and this Part. Service of water to a consumer found to be in violation of this Part shall be discontinued by the water purveyor after due process of written notification of violation and an appropriate time sequence for voluntary compliance, if:
 - A. A backflow prevention assembly required by this Part for control of backflow and cross connection is not installed, tested and maintained.
 - B. If it is found that a backflow prevention assembly has been removed or bypassed.
 - C. If an unprotected cross connection exists on the premises.
 - D. If the periodic system survey has not been conducted.
2. Service will not be restored until such conditions or defects are corrected.
3. The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the water purveyor to determine whether cross connections or other structural or sanitary hazards, including violation of this Part exist and to audit the results of the required survey.
4. All backflow prevention assemblies shall be tested within 10 working days of initial installation.
5. No backflow prevention assembly shall be installed so as to create a safety hazard. Example: Installed over an electrical panel, steam pipes, boilers, pits or above ceiling level.

WATER

6. If violations of this Part exist or if there has not been any corrective action taken by the consumer within 10 days of the written notification of deficiencies noted within the survey, then the public water purveyor shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with the State and City status relating to plumbing, safe drinking water supplies and the regulations adopted pursuant thereto.

Note: Backflow prevention assemblies **MUST** be installed by a licensed journeyman tradesperson, who is recognized by the authority having jurisdiction, and inspected for compliance with local safety codes. Certified testing and maintenance are required to ensure proper function and maximum effectiveness of assemblies. These services must begin upon installation and be provided at intervals not to exceed 1 year and as system conditions warrant.

(Ord. 909, 7/13/1995, §3)