



Town of Holly Springs

Town Council Meeting Agenda Form

Town Clerk's Office Use:

Agenda Item #: 11a

Attachment #: 11

Meeting Date: Aug. 7, 2018

Agenda Placement: New Business

(Special Recognitions (awards, proclamations), Requests & Communications (reports, information presentations), Public Hearings, Consent Agenda, Unfinished Business, New Business, Closed Session or Agenda Addition)

Subject Title: Backflow Device Testing

Presenter Name(s): Wayne Wilhelm

SUBJECT HIGHLIGHTS:

In March 2004 Public Works went before Council with the newly implemented Federal regulation that backflow devices must be installed on all commercial water services, and all irrigation services.

Although the recommendation at that time was to conduct annual testing, council opted for biennium testing to allow customers to become familiar with the new process.

At this time Public works would like to revisit the Town ordinance recommending that we require annual testing for residential and commercial customers. Due to the influx in population over the last 14 years the risk for contamination is even greater. We take integrity in the quality of our Town's water supply very seriously and believe this amendment would be in the best interest of the Town.

Both the EPA Cross-Connection Control Manual and the user manual of most commonly installed device in Holly Springs recommend annual testing. Most surrounding municipalities require annual testing.

Adoption of Ordinance 18-10 (attached) would make this change.

Total Number of Motions: 1

Action(s) requested or suggested motion(s):

Motion to adopt Ordinance 18-10 requiring annual certification of backflow prevention devices.

Funds, if applicable, are to be appropriated from account(s) / line item(s):

n/a

SUBJECT IN GREATER DETAIL, IF NEEDED:

The current ordinance reads:

Sec. 16-144. - Certification required.

(b) Testing of backflow prevention assemblies shall be made by a certified backflow prevention assembly tester approved by the town. Such tests are to be conducted upon installation and at least once every two years. A record of all testing and repairs is to be retained by the consumer. Copies of the records must be provided to the town within ten business days after the completion of any testing, and/or repair work.

Proposed:

(b) Testing of backflow prevention assemblies shall be made by a certified backflow prevention assembly tester approved by the town. Such tests are to be conducted upon installation and *annually* thereafter. A record of all testing and repairs is to be retained by the consumer. Copies of the records must be provided to the town within ten business days after the completion of any testing, and/or repair work.

*Upon council approval every effort will be made to disburse this information to residents to inform of the change via Town website, Social Media, etc.

Staff Review _____

Are there exhibits for this agenda item? | **yes** |

List them in order they should appear in packet: | **Ordinance 18-10** |

Department head initials and comments, if applicable: | **LM by jp** |

Finance director initials and comments, if applicable: | |

Town attorney initials and comments, if applicable: | |

Town manager initials and / or comments: | **dw by jp** |

Town clerk initials: | **jp** |



THE TOWN OF

Holly Springs

Ordinance Number: 18-10
Date Submitted: Aug. 7, 2018
Date Adopted: Aug. 7, 2018

**AN ORDINANCE TO AMEND THE TOWN CODE OF ORDINANCES
OF HOLLY SPRINGS AMENDING SECTION 16-144(b)
IN CHAPTER 16, ARTICLE II, DIVISION 4**

BE IT ORDAINED by the Town Council of the Town of Holly Springs, North Carolina, that the Code of Ordinances of the Town is amended as follows:

PART 1:

Chapter 16 Article II, Division 4 Sec. 16-144(b) – Certification required is replaced in its entirety by the following text:

(b) Testing of backflow prevention assemblies shall be made by a certified backflow prevention assembly tester approved by the town. Such tests are to be conducted upon installation and *annually* thereafter. A record of all testing and repairs is to be retained by the consumer. Copies of the records must be provided to the town within ten business days after the completion of any testing, and/or repair work.

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Part 2: REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of the Town Code of the Town of Holly Springs conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Part 3: SEVERABILITY

If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Part 4: INCLUSION IN CODE

It is the intention of the Town Council entered as hereby ordained, that the provisions of this

Office of the Mayor

P.O. Box 8 • 128 S. Main Street • Holly Springs, NC 27540 • www.hollyspringsnc.us

Email: dick.sears@hollyspringsnc.us

Ordinance shall become and be made part of the Town Code of Ordinances of the Town of Holly Springs, North Carolina; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section, or "Article" or other word.

Part 5: EFFECTIVE DATE

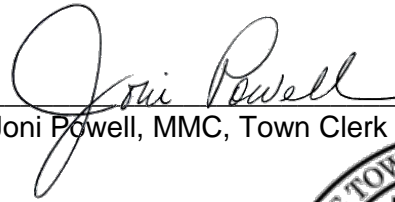
The provisions of this ordinance shall become effective Aug. 7, 2018 in accordance with the laws of the State of North Carolina.

Adopted this, the 7th¹ day of August, 2018.

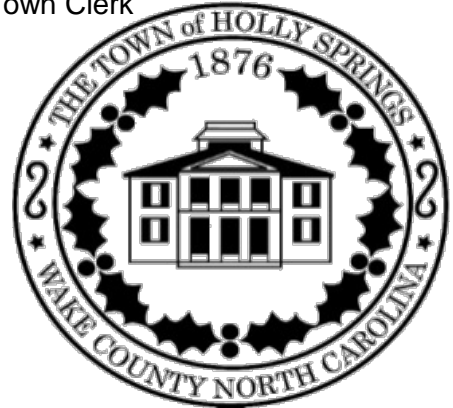
Attested to:



Dick Sears, Mayor



Joni Powell, MMC, Town Clerk



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