

APPENDIX A - LOCAL ORDINANCE

ARTICLE VIII Cross Connection Control

§ 206-26. Purpose.

The purpose of this article is to adopt a comprehensive and effective cross-connection control program to ensure that the potable public water supply of the Town is of a high quality, to ensure that public health is protected, and to comply with the safe drinking water regulations imposed by the State of Delaware.

§ 206-27. Cross Connection Control Plan adopted.

The Town of Millsboro hereby adopts by reference the Town of Millsboro Cross Connection Control Plan, in conformance with the Delaware Department of Health and Social Services (DDHSS), Division of Public Health (Division), 16 Del. C. § 4462, Section 21.0 Cross Connection Control, as may be updated and amended from time to time and which is incorporated herein by reference. Compliance with the manual and the cross-connection program contained therein is hereby required.

§ 206-28. Surveys.

It shall be the duty of the Town to cause surveys to be made of all properties served by the public water system of the Town where cross connections with the public water supply is deemed possible. The frequency of surveys and resurveys based on potential health hazards involved shall be as established by the Town and as approved by the Division.

§ 206-29. Right to enter.

Representatives of the Town shall have the right to enter, at any reasonable time, any property served by a connection to the public water system of the Town for the purpose of surveying and inspecting the piping system or systems thereof for cross connection. On request, the owner, lessees, or occupants of any property so served shall furnish to the Town representative any pertinent information regarding the piping system or systems on such property. A refusal to provide such information or a refusal to provide access, when requested, shall be deemed evidence of the presence of cross connection.

§ 206-30. Discontinuation of service.

The Town is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this ordinance exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this article.

§ 206-31. Backflow prevention assemblies.

All testable backflow prevention assemblies shall be tested initially upon installation, repair or relocation to be sure that the assembly is working properly. Subsequent testing of assemblies shall be performed on an annual basis as required by the Town and in accordance with Division requirements. Only individuals who are approved and State of Delaware certified shall be qualified to perform such testing. That qualified individual(s) shall certify the results of his/her testing.

§ 206-32. Protection; posting of water outlets not supplied by Town system.

The potable water supply made available on the properties served by the public water supply of the Town must be protected from possible contamination as specified by this article, by the State of Delaware, and by any plumbing ordinance or regulations imposed by the Town. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable, public water supply system of the Town must be labeled in a conspicuous manner as:

**WATER UNSAFE
FOR DRINKING**

§ 206-33. Supplementary provisions.

The provisions of this article do not supersede the state plumbing code and any plumbing ordinances or regulations imposed by the Town but, rather, the provisions of this article are supplementary to the foregoing.

§ 206-34. Violations and penalties.

Any person or customer who violates any of the provisions of this article, or any written order of the Town in pursuance thereof, shall be subject to monetary penalties in such amount per violation as shall be set annually by resolution of the Town Council. Each day upon which a violation of the provisions of this article shall occur shall be deemed a separate and additional violation for the purpose of this article. Penalties assessed pursuant to this subparagraph shall be considered civil penalties and any action brought for the recovery of the penalties by the Town shall be brought in any civil court of competent jurisdiction.