



Date: May 13, 2011

To: Thomas J. Bonfield, City Manager

Through: Theodore L. Voorhees, Deputy City Manager

From: Donald F. Greeley, Director, Water Management  
Vicki P. Westbrook, Deputy Director, Water Management  
Harvey M. (Mac) Merritt, Cross Connection Control Supervisor  
Reginald. C Hicks, Superintendent, Water Management

Subject: Ordinance Amending Chapter 70, Article VII, Cross Connection Control, of the Code of Ordinances of the City of Durham

**Executive Summary:**

The City of Durham's Cross Connection Control Program was established in the 1970s to protect the City's water system from contamination and pollutants caused by cross connections. The Cross Connection Control Ordinance, which was approved in 1984, provides the City and Department of Water Management the authority to implement the necessary requirements to ensure the safety of Durham's potable water. The City is mandated to have a Cross Connection Control ordinance by the following agencies: the North Carolina Building Code, Environmental Protection Agency (Cross Connection Control Manual), North Carolina Administrative Code Title 15A Department of Environment and Natural Resources Subchapter 18C. The proposed amendments to Chapter 70 Article VII, Cross Connection Control, of the city's Code of Ordinances will implement changes mandated changes by updated State statutes align the City of Durham's Cross Connection Control ordinance with NC State Building Code requirements.

**Recommendation:**

The Department of Water Management recommends that the City Council adopt the proposed revisions to Chapter 70 Article VII, Cross Connection Control, of the Code of Ordinances of the City of Durham amending the Cross Connection Control Ordinance to meet State requirements.

**Background:**

The City of Durham enacted one of the first Cross Connection Control programs and training facilities in North Carolina in the late 70's. The North Carolina Building Code, Environmental Protection Agency (Cross Connection Control Manual), North Carolina Administrative Code Title 15A Department of Environment and Natural Resources Subchapter 18C and American Water Works Association M14 (Backflow Prevention and Cross Connection Control Manual) mandates the Cross Connection Control program. The City of Durham's Cross Connection Control Ordinance was approved in 1984. The Cross Connection Control Ordinance sets forth uniform requirements for all non-potable connections to the City of Durham water system. The goal of the Cross Connection Control ordinance is to protect the City's water system from contamination and pollutants caused by cross connections. This ordinance

enables the City to comply with all applicable State and Federal laws, including the Safe Drinking Water Act. The proposed amendments to Chapter 70 Article VII, Cross Connection Control, of the City's Code of Ordinances will implement changes mandated by updated State statutes and align the City of Durham's Cross Connection Control ordinance with NC State Building Code requirements.

**Issues/Analysis:**

The City of Durham enacted the Cross Connection Control ordinance in 1984. This amendment includes updated July 2010 State statutes and building code requirements. The amended ordinance is consistent with these updated requirements.

Upon adoption of the amendments, Water Management staff will notify all facilities affected by these amendments by direct mail of the City of Durham's new Cross Connection Control Ordinance.

**Alternatives:**

There are two alternatives available. Adopting the changes to the City's Cross Connection Control Ordinance allows the City to remain in compliance with federal and state regulations. If the recommended changes are not adopted, the City will be in violation of state regulatory requirements.

**Financial Impacts:**

There are no anticipated financial impacts for the City of Durham as the Cross Connection Control Ordinance is administered by existing staff. Financial impacts may be experienced by facilities regulated by the City's Cross Connection Control Ordinance if new back flow preventers must be installed to meet current requirements.

**SDBE Summary:**

The Ordinance to Promote Equal Opportunity in City Contracting does not apply to this item.