

City of Scottsbluff, Nebraska

Tuesday, January 17, 2023

Regular Meeting

Item Resolut.4

Council to consider action on the first reading of the Ordinance to amend Section 23-4-3 of the Municipal Code for Backflow relating to the testing of Pressure Vacuum Breakers.

Staff Contact: Mark Bohl, Public Works Director

Agenda Statement

Item No.

For Meeting of: January 17, 2023

AGENDA TITLE: Council to consider approving an Ordinance to amend Section 23-4-3 of the Municipal Code for Backflow relating to the testing of Pressure Vacuum Breakers.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Public Works

PRESENTATION BY: Kevin Spencer, City Manager

SUMMARY EXPLANATION: Pressure Vacuum Breakers (PVB) are testable devices that are installed to help prevent contamination from underground lawn irrigation systems or low risk connections to the water supply.

The City's Municipal Code, Section 23-4-3 currently requires PVB devices to be tested once every five years; however, the State removed the regulation requiring public water supplies to have PVB devices tested. Because of this, we recommend removing the requirement for repetitive testing and to only require that PVB devices be tested once upon installation to make sure they're working properly.

The City currently has 1,258 known PVB devices that are installed on underground lawn irrigation systems.

Separate from PVB installations, it's important to note that high risk connections to the water supply are protected by Double Check (DC) or Reduced Pressure (RP) devices that require annual testing. This requirement will remain the same.

BOARD/COMMISSION/STAFF RECOMMENDATION: Staff recommends that Council approve the proposed Ordinance that will change testing requirements for PVB devices to once upon installation rather than repetitive testing.

Does this item require the expenditure of funds? yes X no

EXHIBITS

Resolution ☐ Ordinance ☒ Contract ☐ Minutes ☐ Plan/Map ☐

Other (specify) _____

NOTIFICATION LIST: Yes ☐ No ☐ Further Instructions ☐

Please list names and addresses required for notification.

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev: 12/14/ City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING §23-4-3 OF THE SCOTTSBLUFF MUNICIPAL CODE AS IT RELATES TO RESPONSIBILITY FOR IMPLEMENTATION AND TESTING PRESSURE VACUUM BREAKERS FOR BACKFLOW PREVENTION DEVICES, REPEALING THE PRIOR SECTION, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Section 23-4-3 of the Scottsbluff Municipal Code is amended to read as follows:

“§23-4-3 RESPONSIBILITY FOR IMPLEMENTATION.

- (A) The City Manager shall be responsible for the implementation of this Article. If the City Manager determines that an approved backflow prevention device is required for the safety of the public water supply system, then the City Manager shall give notice in writing to the consumer to install said device at each designated location. The City Manager shall inspect and approve all installations of the required backflow prevention devices. The costs of purchasing, installing, testing, and maintaining a backflow prevention device shall be the responsibility and sole expense of the consumer. The installation of backflow prevention devices, except for outlet fixture vacuum breakers, shall be by a licensed plumber. A certified backflow tester approved by the State and City shall test double-check valves and reduced pressure zone devices annually, and shall test pressure vacuum breakers once, upon installation. If the City Manager determines that maintenance or repairs are necessary, the consumer shall be contacted and issued an order to make all necessary repairs or maintenance. The consumer shall complete all installation, maintenance, or repairs within 30 days after being ordered to do so. Anyone who fails to comply with such an order shall be considered in violation of this Article and shall be subject to disconnection of service as provided in this Article.
- (B) The City Manager shall keep a current list of all suppliers of approved backflow prevention devices and an appropriate list of makes and models of backflow prevention devices which meet the requirements of this article.”

Section 2. Prior Section 23-4-3 is now amended and included in the Scottsbluff Municipal Code and all other ordinances and parts of ordinances in conflict herewith are repealed. Provided, however, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage, approval as provided by law, and publication shall be in pamphlet form.

PASSED AND APPROVED on_____, 2023.

Attest:

Mayor

City Clerk (Seal)

Approved as to form:

City Attorney