

Town of Milton
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ORDINANCE NO. 2019-006

AN ORDINANCE TO AMEND CHAPTER 215 OF THE TOWN CODE, ENTITLED "WATER," TO REGULATE CROSS CONNECTIONS WITH THE TOWN WATER SYSTEM, I.E., CONNECTIONS OR ARRANGEMENTS OF PIPING OR APPURTENANCES THROUGH WHICH WATER OF QUESTIONABLE QUALITY, WASTES, OR OTHER CONTAMINANTS CAN ENTER THE MILTON WATER SYSTEM.

WHEREAS, the Town Charter of the Town of Milton vests power in the Mayor and Town Council to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, the Town Charter vests power in the Mayor and Town Council to provide an ample supply of potable water for the Town and its inhabitants, and to that end to regulate and prescribe methods to prevent damage to or interference with the water system; and

WHEREAS, the Milton Town Code in Chapter 215, entitled "Water", prescribes the terms and regulations governing the potable water system; and

WHEREAS, the Mayor and Town Council have determined that it is desirable for the Town to more fully define the regulations regarding cross connections to the potable water system of the Town;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and Town Council of the Town of Milton, a majority thereof concurring, that the following amendments to Chapter 215 of the Town Code are hereby made, with deletions as shown by strike through and insertions as shown by underline as follows:

§ 215-30. ~~Irrigation systems; backflow~~ Cross connection; prevention requirements.

~~Consuming units that have irrigation systems must have backflow prevention devices in compliance with 16 Del. C. § 4455. This requirement also applies to consuming units that have any system that exhibits the possibility of cross connection to any system other than the Town's water service system.~~

A. The Town hereby adopts by reference the provisions of Sections 4455 (“Delaware Regulations Governing a Detailed Plumbing Code”) and 4462 (“Public Water Systems”) of Title 16 of the Delaware Administrative Code as those provisions relate to cross connection controls, including requiring consuming units with an irrigation system to have backflow prevention devices.

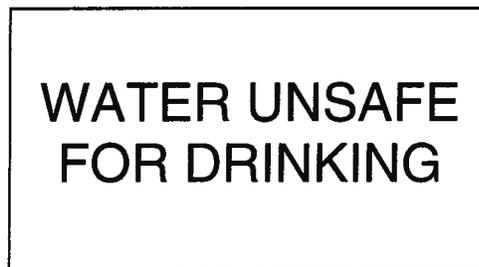
B. The Milton Public Works Department shall cause surveys to be made of all consuming units served by the Milton water system where the Public Works Department deems a cross connection with the Milton water support possible. The frequency of surveys and resurveys based on potential public health hazards involved shall be established by the Public Works Department and as approved by the Delaware Division of Public Health.

C. Employees of the Milton Public Works Department or of a contractor with a specific scope to conduct such surveys shall have the right to enter at any reasonable time any consuming unit for the purpose of surveying the piping system or systems thereof for cross connections. On request, the owner, lessee, or occupant of such consuming unit shall furnish to the survey agency any pertinent information regarding the piping system or systems relative to that consuming unit. The refusal to provide such information or such access, when requested, shall be deemed evidence of the presence of a cross connection.

D. The Milton Public Works Department is authorized and directed to discontinue water service after reasonable notice to any consuming unit wherein any connection in violation of this Section exists and to take such other precautionary measures it deems necessary to eliminate any danger of contamination of the Town’s water system. Water service to such consuming unit shall not be restored until all cross connections have been eliminated in compliance with this Section.

E. All testable backflow prevention assemblies shall be tested initially upon installation to ensure that the assembly is working properly. Subsequent testing of assemblies shall be performed in accordance with the Delaware Division of Public Health requirements. Only individuals that are approved and certified by the State of Delaware shall be qualified to perform such testing. That individual shall certify the results of such testing.

F. The potable water supply made available by the Town’s water system shall be protected from possible contamination as specified in this Section and by other plumbing regulations of the State and the Town. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable water system must be labeled in as conspicuous manner as:



G. This Section does not supersede the other plumbing regulations of the State or the Town; this Section is supplementary thereto.

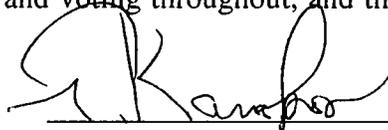
H. Any person found guilty of violating any of the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished in accordance with Chapter 1, Article II, General Penalty, of the Milton Town Code. Each day upon which a violation of a provision of this Section occurs shall be deemed a separate and additional violation.

I. The Milton Public Works Department shall develop a cross connection control plan specific to the Town and based on the Best Practices Manual for Cross Connection Control prepared under the auspices of the Delaware Division of Public Health.

SYNOPSIS

This Ordinance amends the Town Code's chapter regarding water. Specifically, the ordinance adopts by reference State regulations governing cross connections and directs certain actions by the Milton Public Works Department in order to protect the Town's water supply.

I, THEODORE KANAKOS, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Mayor and Town Council of the Town of Milton at its meeting held on the 5th day of August, **2019**, during a duly noticed meeting at which a quorum was present and voting throughout, and that the same is still in full force and effect.



MAYOR

