

Ordinance amending Corpus Christi Code to adopt Texas Commission on Environmental Quality regulations for the inspection and testing of backflow preventer assemblies for residential irrigation systems; and providing for penalty

WHEREAS, by Ordinance No 030847, the City of Corpus Christi adopted the 2015 International Plumbing Code and the 2015 International Residential Code on May 17, 2016, each as modified by said ordinance and are referred to herein as the City Plumbing Code and the City Residential Code;

WHEREAS, in furtherance of the public health, necessity, convenience, safety and the general welfare of the inhabitants of the City of Corpus Christi ("City"), the City Council desires to adopt the Texas Commission on Environmental Quality standards for the inspection and testing of backflow preventer assemblies for residential irrigation systems found in Texas Administrative Code Title 30, Chapters 290 and 344; and

WHEREAS, the City Plumbing Code and the City Residential Code contain requirements for the installation and testing of backflow prevention assemblies for the protection of the municipal water supply; and

WHEREAS, with proper notice to the public, a public hearing was held on Thursday, May 17, 2018, during a meeting of the Mechanical/Plumbing Advisory Board with the Board recommending approval of the ordinance.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The Corpus Christi Code of Ordinance, Section 14-281, Subsection (11) is amended by adding the following language that is underlined (**added**) and deleting the language that is stricken (**deleted**) as delineated below:

Sec. 14-281. – Plumbing Code

(11) Section 312.10 of the International Plumbing Code is revised to read as follows:

312.10 Inspection and testing of backflow prevention assemblies. Inspection and testing shall comply with Section 312.10.1.

312.10.1 Inspection and Testing. Residential irrigation backflow prevention assemblies shall be tested at time of installation, **and** immediately after repairs, ~~and at least once every three years in accordance with the inspection and testing requirements of Texas Commission on Environmental Quality public drinking water regulations.~~ Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, pressure vacuum breaker assemblies, reduced pressure detector fire protection backflow prevention assemblies, double check detector fire protection backflow prevention assemblies, and spill proof vacuum breakers that are not part of a residential irrigation system shall be tested at the time of installation, immediately after repairs or relocation and at least annually. All testing and certification shall be performed by a state-licensed Backflow Prevention Assembly Tester. The Backflow Prevention Assembly Tester must

file an original copy of the initial test certification and each annual certification with the City's Third Party database within ten (10) days of the testing. The testing procedure shall be performed in accordance with one (1) of the following standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10 or CSA B64.10.1.

SECTION 2. The Corpus Christi Code of Ordinance, Section 14-291, Subsection (12) is amended by adding the following language that is underlined (**added**) and deleting the language that is stricken (**deleted**) as delineated below:

Sec. 14-291. – Residential Construction Code.

(12) Section P2503.8 of the International Residential Code is amended by adding new subsections P2503.8.3 to read as follows:

P2503.8.3 Testing. Residential irrigation backflow prevention assemblies shall be tested ~~at least once every three (3) years~~ in accordance the inspection and testing requirements of the Texas Commission on Environmental Quality public drinking water regulations by a Backflow Prevention Assembly Tester and reported to the City Manager or designee. Reduced pressure principle backflow preventers, double check valve assemblies, double-detector check valve assemblies and pressure vacuum breaker assemblies that are not part of a residential irrigation system shall be tested by a Backflow Prevention Assembly Tester at the time of installation, immediately after repairs or relocation and at least annually with test results reported to the City Manager or designee. Upon the failure of the utility customer to report the result of the required test of the backflow prevention device, the City Manager, or designee, may authorize the backflow prevention device be tested, repaired and/or replaced with all associated charges to be charged to the customer's utility bill, and may also authorize the stoppage of the supply of water to the service address. The water may not be restored, except upon provision of the report of the required passing test.

SECTION 3. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision of this ordinance be given full force and effect for this purpose.

SECTION 4. Penalties are as provided in Section 1-6, Section 14-281, and Section 14-291 of the Corpus Christi Code of Ordinances.

SECTION 5. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

SECTION 6. This ordinance takes effect after official publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the _____ day of _____, 2018.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor