ORDINANCE NO. 2026-04

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING AND COMPLETELY RESTATING TITLE 10, CHAPTER 4 OF THE IVINS CITY CODE REGARDING BACKFLOW AND CROSS CONNECTION REGULATIONS

WHEREAS the City Council of Ivins City is authorized by law to enact ordinances necessary to carry out its duties, protect public health and safety, promote the general welfare, maintain public order, and safeguard property within the city; and

WHEREAS Title 10, Chapter 4 implements applicable Utah drinking water regulations, the plumbing code adopted by the State of Utah, and recognized guidance, and does not create independent technical standards or impose additional locally generated compliance costs; and

WHEREAS, the City Council conducted a comprehensive review of Title 10, Chapter 4 and revised the chapter in its entirety to align with applicable state standards, improve clarity and enforceability, and modernize its provisions; and

WHEREAS after conducting a public hearing regarding this ordinance on February 3, 2026 the Planning Commission recommended that the City Council approve this ordinance;

WHEREAS the City Council has investigated and considered amending an Ordinance of Ivins City: Title 10, Chapter 4;

WHEREAS the City Council finds it necessary to be in-line with the minimum requirements of the Rural Water Association of Utah and therefore International Plumbing Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City as follows:

Section 1. Amendment and Complete Restatement of Title 10, Chapter 4 of the Ivins City Code. Title 10, Chapter 4 of the Ivins City Code is hereby amended and completely restated as follows:

See Exhibit A

Section 2. Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS 7TH DAY OF MAY, 2026, BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Mike Scott	_____	_____	_____	_____

Wayne Pennington	_____	_____	_____	_____
Sharon Barton	_____	_____	_____	_____
Sharon Gillespie	_____	_____	_____	_____
Dillon Hurt	_____	_____	_____	_____

_____
Kevin Smith, Mayor

ATTEST:

_____
Kari D. Jimenez, City Recorder

EXHIBIT A

CHAPTER 4
BACKFLOW AND CROSS CONNECTIONS

SECTION:

10.04.100: Purpose

10.04.101: Definitions

10.04.101.5: Administration and Authority

10.04.102: Protection Of Water Supply

10.04.103: Backflow Prevention Required

10.04.103.5 Notification of Changes

10.04.104: Testing And Inspection

10.04.105: New Construction

10.04.106: Installation Of Backflow Preventer Required

10.04.107: Repair And Maintenance

10.04.108: Access For Inspection

10.04.109: Certified Backflow Testing and Maintenance

10.04.110: Public Notification

10.04.111: Records

10.04.112: Violations

10.04.113: Emergency Discontinuance Of Service

10.04.114: Penalty

10.04.100: PURPOSE:

The purpose of this chapter is to protect the public drinking water system from contamination due to cross connections and backflow by requiring compliance with applicable state drinking water regulations and the plumbing code, and by establishing an ongoing cross-connection control program.

10.04.101: DEFINITIONS:

As used in this chapter, the following terms apply:

APPROVED BACKFLOW ASSEMBLY: A backflow prevention assembly listed or recognized under the Utah State Rules for Public Drinking Water Systems and the plumbing code adopted by the State of Utah.

AUXILIARY WATER SUPPLY: Any water source on or available to a premises other than the City's public drinking water supply, including but not limited to secondary irrigation water, private wells, another public water supply, or any natural or reclaimed source.

BACK PRESSURE: A pressure, higher than the supply pressure, caused by a pump, elevated tank, boiler, or any other means that may cause backflow.

BACK SIPHONAGE: The backflow of potentially contaminated, polluted or used water into the potable water system as a result of the pressure in the potable water system falling below atmospheric pressure of the plumbing fixtures, pools, tanks or vats connected to the potable water distribution piping.

BACKFLOW: The reversal of the normal flow of water caused by back-pressure or back-siphonage.

CONTAMINATION: A degradation of the potable water supply resulting from the introduction of a substance not suitable for human consumption that poses a threat to public health.

BACKFLOW PREVENTER: An assembly or device designed to prevent backflow. Specifications for backflow prevention assemblies and devices are contained within the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah.

CHEMICAL: Any solid, gas, liquid or other substance of whatever nature which is possible to introduce into the public drinking water system other than the intended potable water, including, but not limited to, non-potable water, pesticides, herbicides, fertilizers, soaps, detergents, and other similar substances.

CHEMICAL EQUIPMENT: Any equipment, device or other contraption of whatever nature which is used or designed for the handling, storage, transportation or application of chemicals, including, but not limited to, herbicide, pesticide, fertilizer, mobile wash, and other similar equipment.

TANK VEHICLE: Every vehicle of whatever nature used or designed for the handling, storage, transportation or application of chemicals, including, but not limited to, herbicide, pesticide, fertilizer, mobile wash and other similar vehicles.

CROSS CONNECTION: Any physical connection or potential connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other either water of unknown or questionable safety or steam, gas or chemical, whereby there exists the possibility for flow from one system to the other, with the direction of flow depending on the pressure differential between the two systems (see "Backflow").

DUAL SOURCE CONNECTION: A piping arrangement that allows a system to be supplied by either potable water or an auxiliary water supply, but not at the same time.

WATER PURVEYOR: The person designated to oversee the water system, with authority and responsibility to implement and enforce the cross-connection control program and for the enforcement of the provisions of this ordinance.

10.04.101.5: ADMINISTRATION AND AUTHORITY:

The Water Purveyor is authorized to administer and enforce this chapter, including evaluating cross-connection hazards, determining the degree of protection required, conducting or requiring surveys of premises, approving backflow prevention methods and devices, and taking enforcement actions as provided herein.

10.04.102: PROTECTION OF WATER SUPPLY:

No person shall create or allow any actual or potential cross connection in violation of applicable state drinking water regulations, the plumbing code adopted by the State of Utah, or this chapter. No water service shall be installed or maintained to any premises unless the premises are protected as required by those standards. The property owner is responsible for installing, maintaining, and correcting any required backflow or cross-connection protection and for notifying the City of any known deficiencies.

10.04.103: BACKFLOW PREVENTION REQUIRED:

(1) The property owner shall purchase, install, test, and maintain an approved backflow preventer where a cross connection exists or where conditions create a risk of backflow as defined by applicable state drinking water regulations or the plumbing code.

(2) Equipment, Vehicles, Tanks, and Temporary Connections:

(a) Backflow Preventer Required: No person shall add water from the city water system to any equipment, vehicle, tank, or temporary connection that contains or may contain contaminants or pollutants unless the connection is protected by an approved backflow preventer or air gap appropriate to the degree of hazard.

(b) Tank Vehicles. Water shall not be supplied to any tank vehicle unless the connection is protected by a permanently affixed and operational air gap.

(c) Exception: Backflow protection is not required where no possibility of back-pressure or back-siphonage exists.

(3) Dual source connections are prohibited unless expressly approved by the City. Where permitted, dual source connections are required to be protected by a Reduced Pressure Principle Assembly.

10.04.103.5: NOTIFICATION OF CHANGES:

Property owners shall notify the city of any change in use, plumbing modification, or installation of an auxiliary water supply that may affect cross-connection control requirements.

10.04.104: TESTING AND INSPECTION:

(1) Required Testing. All required backflow prevention devices or assemblies shall be inspected and operationally tested upon installation, repair, or relocation, and at least annually thereafter, in accordance with applicable state drinking water regulations and the plumbing code adopted by the State of Utah. Where a higher degree of hazard is identified in accordance with applicable state regulations and this chapter, more frequent testing shall be required.

(2) Tank Vehicles. Any tank vehicle to which water is supplied from the city water system shall be inspected prior to initial use and at least every six (6) months thereafter to verify required approved backflow preventer or fixed air gap.

(3) The owner of the premises, vehicle, or equipment shall arrange and pay for required inspections and testing and shall submit verification of compliance to the city. Compliance with this section may shall be required as a condition of issuance or renewal of any applicable business license.

10.04.105: NEW CONSTRUCTION:

Plans for new construction shall be reviewed by the building official to identify actual or potential cross connections. Where a cross connection cannot be eliminated, protection will be required by installation of an air gap or other approved backflow preventer, in accordance with the plumbing code. Required backflow protection shall be installed and tested by a person certified under applicable state requirements, and verification of such testing shall be provided prior to issuance of a certificate of occupancy.

10.04.106: INSTALLATION OF A BACKFLOW PREVENTER REQUIRED:

Where applicable state drinking water regulations or this chapter require containment protection at a service connection, approved backflow protection shall be installed at or near the service connection. The property owner is responsible for all installation, testing, and maintenance costs. Where a high or moderate hazard is identified under applicable state regulations, a Reduced Pressure Principle Assembly or Double Check Valve Assembly shall be installed in accordance with those standards. Required assemblies shall be tested by a person certified under applicable state requirements within ten (10) days of installation and at least annually thereafter.

10.04.107: REPAIR AND MAINTENANCE OF EQUIPMENT:

All required backflow prevention and cross-connection control devices shall be maintained in operable condition by the owner of the premises. Installation, repair, testing, and servicing shall be performed only by a certified backflow technician under applicable state requirements.

10.04.108: ACCESS FOR INSPECTION:

As a condition of receiving water service, the owner shall allow the City, at reasonable times and upon reasonable notice, to inspect those portions of the premises and water system reasonably necessary to determine compliance with this chapter and to identify cross connections or other hazards. Inspection may include access to mechanical areas, service lines, and other locations where water piping, auxiliary supplies, or backflow protection devices are installed.

10.04.109: CERTIFIED BACKFLOW TESTING AND MAINTENANCE:

All testing, inspection, maintenance, and repair of required backflow prevention devices shall be performed by a person certified under applicable state requirements and in accordance with the plumbing code adopted by the State of Utah. Required test results and documentation shall be submitted to the City in the manner and within the time required by state standards or this chapter. The City may reject any test or report that does not comply with applicable requirements.

10.04.110: PUBLIC NOTIFICATION:

The city may provide information to water customers regarding cross-connection hazards and applicable inspection and testing requirements for backflow prevention devices or assemblies.

10.04.111: RECORDS:

The city shall maintain records necessary to administer the cross-connection control and backflow prevention program, including records required by applicable state and federal agencies.

10.04.112: VIOLATIONS:

Any failure to comply with this chapter, including failure to install, maintain, test, or protect required backflow prevention devices; removal or bypass of a required device; the existence of an unprotected cross connection; submission of false or misleading information; or failure to correct a violation after notice, constitutes a violation. Upon determination of a violation, the city may require corrective action within a reasonable time, consistent with this chapter and applicable law, and may discontinue water service or suspend or deny any related business license until compliance is achieved. Any person responsible for contamination of the city water system resulting from a violation shall be liable for the full cost of cleanup and remediation.

10.04.113: EMERGENCY DISCONTINUANCE OF SERVICE:

If conditions exist that constitute an immediate threat to public health or the drinking water system under applicable state standards, the city may discontinue water service, to one or more properties, without prior notice. Service shall remain discontinued until the hazard is eliminated or compliance is achieved. Nothing in this section limits the city's authority to pursue any other remedy provided by law.

10.04.114: PENALTY:

Any violation of this chapter shall be subject to enforcement and penalties as provided in this code and applicable law.