ORDINANCE NO. 19123

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., regarding backflow prevention, cross connection control, amending City of Topeka Code §§ 26-446, 26-448, 26-449, 26-458, 26-459, 26-463, 26-464, 26-465 and 26-466 and specifically repealing said original sections and §§ 26-450 through 26-454, 26-457, 26-460, 26-461, 26-462 and 26-464.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 26-446, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Definitions.

In addition to those terms defined in the Uniform Plumbing Code currently adopted by section 26-409 the City of Topeka, for the purposes of this division, the following terms shall have the meanings ascribed to them in this section:

Approved backflow training provider means training courses which are approved by the Water Superintendent as backflow/cross connection training providers. A list of approved training courses will be maintained by the water superintendent. Approved training courses shall include, but are not limited to, backflow/cross connection training courses offered by the American Society of Safety Engineers (ASSE), the Plumbing-Heating-Cooling Contractors Association (PHCC) and the American Water Works Association (AWWA).

Any organization or individuals (other than the ASSE, PHCC and AWWA) desiring approval shall submit to the Water Superintendent for the City of Topeka, their course curriculum, test laboratory equipment list and their curriculum testing procedures.

Approved assembly means a backflow preventer that contains two (2) shut-off
valves and one (1) to four (4) properly located test ports in addition to two (2) internal
components, that is tested and accepted by a recognized testing laboratory approved by
the Kansas Department of Health and Environment (KDHE) and the water superintendent.

Approved device means devices a backflow preventer that does not contain shut-off
valves or test ports and is tested and accepted by a recognized testing laboratory approved
by the state Kansas Department of Health and Environment (KDHE) and the city water
superintendent.

Auxiliary water supply means any water supply on or available to the premises other
than the city’s approved public water supply. These auxiliary waters may include water from
another purveyor’s public potable water supply or any natural source, such as a well, spring,
river, stream, harbor and so forth, used waters, or industrial fluids.

shall be used as a reference in enforcement of this Code, current edition, published by the
American Water Works Association.

Backflow license means a document issued by the development services division to
a certified backflow tester/repair technician.

Certified backflow tester/repair technicians are those individuals who have
successfully completed an accredited training course for initial certification by an approved
backflow training provider. Additionally, a training course for recertification by an approved
backflow training provider is required every three years, session recognized by the Kansas
Department of Health and Environment (KDHE) and the water superintendent. The
development services division shall license the tester/repair technicians after ascertaining
the technician meets the above specific qualifications.

CEU means one (1) continuing education unit which shall be earned for each one (1)
hour of actual classroom instruction.

_Containment_ means a backflow prevention device assembly installed at the service connection to the property.

_Degree of hazard_ shall mean either a low hazard (pollutant) or high hazard (contaminate). The assessment for the “degree of hazard” shall be derived from the evaluation of conditions within a system.

_Domestic service_ means the pipe carrying potable water from the water meter or other source of water supply to a building or other point of use or distribution on the lot. Domestic service shall also mean “building supply” or “water service.”

_Dual check valve_ means a device consisting of two (2) internally loaded soft-seated check valves. This device does not contain test ports and is acceptable for use only at the meter of residential customers or two (2) tightly closing resilient-seated shut-off valves. Dual check valves are not approved for installation as backflow prevention devices.

_Free water surface_ means a water surface at atmospheric pressure.

_High hazard_ is a type of cross connection or potential cross connection involving any substance that could, if introduced into the potable water supply, cause death, illness, spread disease, or have a high probability of causing such effects.

_Hold harmless agreement_ is a document filed with the development services division to permit installation of lawn irrigation systems in an easement or right-of-way.

_Industrial fluids_ means any fluids or solutions that may be chemically, biologically or otherwise contaminated or polluted in a form or concentration that would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but shall not be limited to, polluted or contaminated waters; all types of processed waters and used waters originating from the public potable water system that...
may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis; circulating cooling waters connected to an open cooling tower; or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters, such as wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffin, caustic and acid solutions; and other liquid and gaseous fluids used in industrial or other purposes, including for firefighting purposes.

Isolation shall mean the appropriate method of backflow prevention within the consumer's potable water system at the point of use.

**KAR** means Kansas Administrative Regulations.

**KDHE** means the Kansas Department of Health and Environment.

Low hazard is a type of cross connection or potential cross connection involving any substance that generally would not be a health hazard, but would constitute a nuisance, or be aesthetically objectionable, if introduced into the domestic water supply.

**Service connection** means the point where the public water supply connects to the customer’s water service, usually at the water meter or property line.


**Vacuum** means any absolute pressure less than that exerted by the atmosphere.

**Water superintendent** means the superintendent of the City of Topeka water division.
or his or her designee.

Section 2. That section 26-448, Responsibility for enforcement, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Responsibility for enforcement.

Development services division. The water superintendent shall be responsible for effectively conducting the cross connection control program of the city’s potable water supply and the customer’s potable water system. The development services division may use the current version of the Uniform Plumbing Code, AWWA Manual 14, USEPA Cross Connection Control Manual and the USC Cross Connection Control and Hydraulic Research Manual and all KAR from the KDHE in developing responsible judgement for enforcement of this code. If, in the judgment of the division, an approved backflow prevention device or assembly is required, the development services director or designee will give notice in writing to the customer to install the proper approved device or assembly. The customer shall immediately install, test or repair the proper approved device or assembly at the customer’s expense. Failure to comply shall be grounds for discontinuing water service to the customer service location until the device is properly installed, tested, or rebuilt.

Determinations made by the water superintendent for the cross connection control and backflow prevention program may be appealed to the plumbing board. The water superintendent shall be notified of all such appeals and the decision of the board.

Section 3. That section 26-449, Cross connections -- In general, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Cross connections -- In general.

The potable water supply system of the city and the customer’s potable water system
private users shall be designed, installed and maintained to best prevent contamination or
pollution from non-potable liquids, solids or gases from being introduced into the potable
water supply through cross connections or any other piping connections to the system. Any
water being provided by the city will fall under the rules and regulations of the cross
connection program. All public or private users being supplied by any connection to the
city’s potable water supply, directly or indirectly, shall conform to standards set up
established by city the water superintendent.

Cross connections between potable water systems and other systems or equipment
containing water or other substances of unknown or questionable safety are prohibited
except when and where a suitable protective device or assembly is installed, tested and
maintained to ensure proper operation on a continuing basis. The device or assembly that
is installed shall be approved by the water superintendent.

Potable water connections to boilers shall be made through an air gap or through a
RP. Boilers used for cooking and processing food may have a DC installed on the boiler
water connection. Chemicals used for treatment in cooking and food-processing boilers
shall be U.S. Food and Drug Administration (FDA) approved for human consumption.

Existing Work that is an actual or potential cross connection must be corrected.

Section 4. That section 26-450, Same -- Prohibited, of The Code of the City of
Topeka, Kansas, is hereby repealed.

Same--Prohibited.

Cross connections between potable water systems and other systems or equipment
containing water or other substances of unknown or questionable safety are prohibited
except when and where suitable protective devices such as the reduced pressure zone
backflow preventer are installed, tested and maintained to ensure proper operation on a
continuing basis. The device that is installed shall be approved by the development
services director or his designee and if controversy arises it may be appealed to the
plumbing board.

Section 5. That section 26-451, Interconnections, of The Code of the City of
Topeka, Kansas, is hereby repealed.

Interconnections.

Interconnection between two or more public water supplies shall be permitted only
with the approval of the Kansas Department of Health and environment pursuant to the

Section 6. That section 26-452, Individual water supplies, of The Code of the City
of Topeka, Kansas, is hereby repealed.

Individual water supplies.

Connections between a private water supply and the public potable water are
prohibited pursuant to the provisions of K.S.A. 65-163a.

Section 7. That section 26-453, Connections to boilers, of The Code of the City of
Topeka, Kansas, is hereby repealed.

Connections to boilers.

Potable water connections to boilers shall be made through an air gap or through a
reduced pressure zone principle backflow preventer. Boilers used for cooking and
processing food may have a double check valve (DCV) installed on the boiler water
connection. Chemicals used for treatment in cooking and food-processing boilers shall be
Federal Food and Drug Administration (FDA) approved for human consumption.
Section 8. That section 26-454, Backflow license, of The Code of the City of Topeka, Kansas, is hereby repealed.

Backflow license.

(a) No permit for installation device shall be issued except to a certified backflow tester/technician holding a current backflow license. Backflow licenses shall require a fifty dollar ($50.00) annual fee.

(b) No permit shall be issued until a complete application, including the annual fee, has been submitted to the development services division on forms provided by the division.

(c) In addition to the foregoing license and application fees, backflow maintenance services shall also be subject to the following administration fees and charges:

- Processing of returned incomplete application: . . . $30.00
- Failure to have an inspection report (1st offense): . . . $50.00
- Failure to have an inspection report (2nd offense): . . . $100.00

Section 9. That section 26-457, Minimum required airgap, of The Code of the City of Topeka, Kansas, is hereby repealed.

Minimum required airgap.

The minimum airgap shall be determined as follows:

(1) How measured. The minimum required airgap shall be measured vertically from the lowest end of a potable water outlet to the flood rim or line of the fixture or receptacle into which it discharges.

(2) Size. The minimum required airgap shall be twice the effective opening of a potable water outlet unless the outlet is a distance less than three times the effective
opening away from a wall or similar vertical surface, in which cases the minimum required
airgap shall be three times the effective opening of the outlet. In no case shall the minimum
required air gap be less than shown in Table 6-3 of the 2000 UPC.

Section 10. That section 26-458, Approval of devices, of The Code of the City of
Topeka, Kansas, is hereby amended to read as follows:

Approval of devices or assemblies.

Before any devices or assemblies for the prevention of backflow or backsiphonage is
installed, it shall have first been certified by a recognized testing laboratory acceptable to
KDHE. These authorities include the American Society of Sanitary Engineers (ASSE),
American Water Works Association (AWWA), University of Southern California Foundation
for Cross Connection Control and Hydraulic Research, Canadian Standards Association
(CSA), International Association of Plumbing and Mechanical Officials (IAPMO) or Factory
Mutual (FM), and other testing or certifying authorities that may be accepted by KDHE.
Devices or assemblies installed in a building potable water supply distribution system for
protection against backflow or cross connection shall be maintained in good working
condition by the person responsible for the maintenance of the system.

Development services division designee The water superintendent shall inspect such
devices or assemblies and if found to be defective or inoperative shall require the repair or
replacement thereof. Before the placement of a backflow prevention device, the licensed
plumber, on new installation and/or the certified backflow technician on replacements, shall
inform the development services division that the device is being installed. A certified
tester/repair technician will then test the device and register it for scheduled testing. The
development services division shall have the right to test a device to insure that it complies
with the provisions of the code.

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Section 11. That section 26-459, Installation of devices; types, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Installation of devices; types

Types of devices or assemblies: installation and replacement.

(a) Protective devices required. The type of protective approved device or assembly required to be installed on the water service line to protect the water supply under this division shall be determined by the degree of hazard which exists as determined by the enforcement agency water superintendent.

1. The following are illustrative examples which pose a high degree of hazard requiring an approved air-gap or reduced-pressure principle backflow prevention assembly (RP):

   (4A) Premises having auxiliary water supply shall protect the public system by either an approved airgap or an approved reduced-pressure principle backflow prevention assembly.

   (2) Premises having water or substances which would be non-hazardous to the health and well-being of the consumers shall protect the public system with no less than an approved double-check valve assembly. Additionally, residential premises and commercial premises which have lawn irrigation systems which are not used to apply fertilizers, pesticides, or other chemicals shall protect the public system with no less than an approved double-check valve assembly.

   (3B) Premises where material dangerous to health is handled in a manner which creates an actual or potential hazard shall protect the public system by an approved airgap or an approved reduced-pressure principle
backflow prevention assembly.

(4C) Premises where uncontrolled cross connections—uncontrolled shall protect the public water supply by installing an approved airgap or an approved reduced pressure principle backflow prevention device at the service connection.

(5D) Premises where, because of security requirements or other prohibitions, it is impossible to complete an in-plant cross connection inspection, the public system shall be protected by the installation of an approved airgap or an approved reduced pressure principle backflow prevention assembly at the service connection.

Premises which may fall into one or more of the aforementioned categories may be but are not limited to, the following:

2. The examples of uses or activities which may constitute a high degree of hazard to the water supply and shall require an approved device or assembly specified by the water superintendent determined by the degree of hazard include, but are not limited to,

Beverage bottling plants.
Buildings: Hotels, apartments, public or private buildings, or other structures having actual or potential cross connections. This includes structures of four stories or more and/or structures equipped with booster pumps.
Car wash facilities.
Chemical manufacturing, handling or processing plants.
Chemically contaminated water.
Dairies and cold storage facilities.
Dentist offices.

Doctor's offices equipped with laboratories, or surgeries, or other potential cross connections.

Film or photography processing laboratories.

Fire protection systems.

Hospitals, medical centers, morgues, mortuaries, autopsy facilities, clinics, or nursing and convalescent homes.

Ice machines.

Irrigation systems.

Laundries.

Metal cleaning, metal plating, processing or fabricating plants.

Nursing and convalescent homes designed for acute care.

Oil and gas production, storage or transmission facilities.

Packing or food processing plants.

Paper and paper products plants.

Power plants.

Radioactive materials plants or handling facilities.

Restricted or classified facilities.

Rubber manufacturing plants.

Sand, gravel or asphalt plants.

Schools or colleges.

Sewage and storm drainage facilities and reclaimed water systems.

Solar heating systems.

Temporary non-emergency service: Fire hydrants, air valves, blow-offs and other
outlets.
Veterinary facilities.
Waterfront marinas.

(b) **Installation.** Approved devices or assemblies shall be installed at all fixtures and equipment where backflow or backsiphonage may occur and where a minimum air-gap between the potable water outlet and the fixture or equipment flood level rim cannot be maintained. Backflow and backsiphonage devices or assemblies of all types shall be in an accessible location to allow for proper testing and shall be installed in a pit in accordance with specifications established and maintained by the water superintendent.

Connection to the potable water piping and initial installation of all backflow prevention devices shall be done by a licensed plumber employed by a licensed plumbing contractor certified in backflow testing or repair. Replacement of an existing device may be done by certified backflow tester/technicians employed in the trade or craft for which the backflow preventer was installed (i.e., lawn irrigation, fire suppression, ice machine installation, etc.). All devices shall be installed so they will be accessible for regular inspection and testing.

Access and clearance shall be provided for the required testing, maintenance and
repair. Access and clearance shall require a minimum of one (1) foot between the lowest portion of the assembly and grade, floor or platform. Water superintendent approval is required before backflow devices or assemblies are installed at an elevation of six (6) feet or more above the grade, floor or platform.

Connection to the potable water piping and initial installation of all backflow prevention devices or assemblies shall be made by a Topeka licensed plumber employed by a Topeka licensed plumbing contractor.

(c) Replacement of an existing device or assembly may be made by licensed and certified backflow tester/technicians employed in the trade or craft for which the backflow device or assembly was installed (i.e., lawn irrigation, fire suppression, ice machine installation, etc.).

Certified backflow/tester technicians shall maintain, repair and test devices or assemblies.

(d) Cross connection control fees for backflow preventers and lawn irrigation systems connected to the potable water supply system of the city outside the city limits shall be established by the water superintendent, as approved by the public works director, and maintained in a schedule of fees and charges. The water superintendent shall determine such fees for residential and commercial installations and replacements, based on the cost of service provided and an additional charge equal to the percentage difference between inside city and outside city water rates.

(e) It shall be unlawful for any person to knowingly make connection to the potable water supply system of the city for the categories of premises in this section without an approved assembly or approved device.

(1) Penalty. Any person violating this section may be punished by:
A. Fine of not more than $499.00; and/or

B. Imprisonment in jail for not more than one hundred seventy-nine (179) days.

Section 12. That section 26-460, Tanks and vats below rim supply, of The Code of the City of Topeka, Kansas, is hereby repealed.

**Tanks and vats below rim supply.**

Where a potable water outlet terminates below the rim of a tank or vat, the following provisions shall apply:

(1) If the tank or vat has an overflow of diameter not less than given in table 1, the overflow pipe shall be provided with an airgap as close to the tank as possible.

(2) The potable water outlet to the tank or vat shall terminate a distance not less than one and one-half times the height to which water can rise in the tank above the top of the overflow. This level shall be established at the maximum flow rate of the supply to the tank or vat and with all outlets except the airgap overflow outlet closed.

(3) The distance from the outlet to the high water level shall be measured from the lowest point of the potable water supply outlet.

Table 1: Size of Overflow Pipes For Water Supply Tanks

<table>
<thead>
<tr>
<th>Maximum capacity of Water supply line to tank</th>
<th>Diameter of overflow pipe (Inches-ID)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-50 gpm</td>
<td>2</td>
</tr>
<tr>
<td>51-100 gpm</td>
<td>2 1/4</td>
</tr>
<tr>
<td>101-200 gpm</td>
<td>3</td>
</tr>
<tr>
<td>201-400 gpm</td>
<td>4</td>
</tr>
<tr>
<td>401-700 gpm</td>
<td>5</td>
</tr>
<tr>
<td>701-1,000 gpm</td>
<td>6</td>
</tr>
<tr>
<td>Over 1,000 gpm</td>
<td>8</td>
</tr>
</tbody>
</table>
Section 13. That section 26-461, Tables of fixtures, equipment and devices, of The Code of the City of Topeka, Kansas, is hereby repealed.

Tables of fixtures, equipment and devices.

(a) Connections not subject to backpressure. Where a water connection is not subject to backpressure, a vacuum breaker shall be installed on the discharge side of the last valve on the line serving the fixture or equipment. A partial list of some conditions requiring protective devices of this kind are given in the following table:

Cross Connections Where Protective Devices are Required and Critical Level (C-L) Settings For Vacuum Breakers

<table>
<thead>
<tr>
<th>Fixtures or equipment</th>
<th>Method of installation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspirators and ejectors</td>
<td>C-L at least six inches above flood level of receptacle served.</td>
</tr>
<tr>
<td>Dental units</td>
<td>On models without built-in vacuum breakers CL at least six inches above flood level rim of bowl.</td>
</tr>
<tr>
<td>Commercial dish washing machine</td>
<td>C-L at least six inches above flood level of machine. Installed on both hot and cold water supply lines.</td>
</tr>
<tr>
<td>Garbage can cleaning machines</td>
<td>C-L at least six inches above flood level of machine. Installed on both hot and cold water supply lines.</td>
</tr>
<tr>
<td>Hose outlets</td>
<td>C-L at least six inches above highest point on hose line.</td>
</tr>
<tr>
<td>Commercial laundry machines</td>
<td>C-L at least six inches above flood level of machine. Installed on both hot and cold water supply lines.</td>
</tr>
<tr>
<td>Lawn sprinklers</td>
<td>C-L at least 12 inches above highest sprinkler head or discharge outlet.</td>
</tr>
<tr>
<td>Steam tables</td>
<td>C-L at least six inches above flood level rim.</td>
</tr>
<tr>
<td>Tanks and vats</td>
<td>C-L at least six inches above flood level rim or line.</td>
</tr>
<tr>
<td>Through urinals</td>
<td>C-L at least 30 inches above perforated flush pipe.</td>
</tr>
<tr>
<td>Toilet flush tanks</td>
<td>Equipment with approved ball cock, installed according to manufacturer’s specifications</td>
</tr>
</tbody>
</table>
All devices must be tested and/or certified by an authority acceptable to KDHE before they are installed.

These authorities include the American Society of Sanitary Engineers (ASSE), American Waterworks Association (AWWA), Foundation for Cross Connection Control and Hydraulic Research, University of Southern California (FCCCHR of USC), Canadian Standards Association (CSA), Southern Building Code Congress (SBCC) or Factory Mutual (FM). Other testing or certifying authorities may be accepted by KDHE.

(b) Connections subject to backpressure. Where a potable water connection is made to a line, fixture, tank, vat, pump or other equipment with a hazard of backflow or backsiphonage where the water connection is subject to backpressure, and an airgap cannot be installed, the development services water division may require the use of an approved reduced-pressure principle backflow preventer. A partial list of such connections is shown in the following table:

Partial List of Cross-Connections Subject to Back Pressure

- Chemical lines
- Dock water outlets
- Individual water supplies
- Industrial process water lines
- Tanks and vats: Bottom inlets
- Pumps
- Steam lines
- Swimming pools

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Hose bibs.

Boilers.

Section 14. That section 26-462, Low pressure cutoff required on booster pumps, of The Code of the City of Topeka, Kansas, is hereby repealed.

Low pressure cutoff required on booster pumps.

When a booster pump is used on a water pressure booster system and the possibility exists that a positive pressure of ten psi or less may occur on the suction side of the pump, there shall be installed a low pressure cutoff on the booster pump to prevent the creation of a vacuum or negative pressure on the suction side of the pump, thus cutting off water to other outlets.

Section 15. That section 26-463, Maintenance requirements, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Maintenance requirements.

(a) Generally.

(1) Maintenance, repair and testing of these devices shall be made by certified backflow/tester technicians. (Certified testers are those technicians who have completed a state department of health and environment approved training course and have passed a written examination such as the American Backflow Prevention Association device testers examination.) The development services will also assure the proper installation of all backflow preventers and will set appropriate testing intervals and testing standards for such devices. Each backflow preventer shall be tested annually and shall be rebuilt as needed. In cases where the degree of hazard is considered high, the development services division may require the devices to be tested on a more frequent basis.

(2) Certified tester/repair technicians. All certified tester/repair technicians shall be
re-certified at no less than three (3) year intervals and licensed with the city.

(b) Notification. The development services division shall notify the owner, or authorized agent of the owner, of a building or premises in which there is found a violation of this division, of such violation. The development services division shall set a reasonable time for the owner to have the violation corrected. If the owner fails to correct the violation within the specified time, the water division shall cease delivery of water to the fixture, device, building or premises until the violation has been satisfactorily corrected.

Devices or assemblies installed, on or in a building's potable water system, for protection against backflow or backsiphonage shall be maintained in good working condition by the owner of the devices or assemblies. All devices or assemblies shall be maintained so they will be accessible for regular inspection and testing.

The water superintendent may inspect devices or assemblies and if found to be defective or inoperative shall require the repair or replacement thereof.

Section 16. That section 26-464, Automatic fire suppression, of The Code of the City of Topeka, Kansas, is hereby repealed.

Automatic fire suppression systems.

All automatic fire suppression systems shall be protected from backflow with an approved double-check valve assembly. Any fire suppression system into which chemicals of any type (corrosive, antifreeze, etc.) can be added shall be protected at the service connection with an approved reduced pressure principle assembly. In lieu of such protection, an antifreeze loop may be individually protected with an approved reduced pressure principle assembly, in addition to proper service line protection.

Section 17. That section 26-465, Reserved, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:
Installation permit.

A permit is required when a new or replaced backflow prevention device or assembly is installed. Before the placement of a backflow prevention device or assembly, the licensed plumber on new installation, and/or the certified backflow technician on replacements, shall obtain permits and inform the development services division that the device or assembly is being installed. After installation or replacement, a certified tester/repair technician will then test the device or assembly and register it with the water superintendent for scheduled testing.

Section 18. That section 26-466, Reserved, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Notification.

The water superintendent shall notify the owner, or authorized agent of the owner, of a building or premises in which there is found a violation of the provisions herein, of such violation and when the violation must be corrected. If the owner fails to correct the violation within the specified time, the water superintendent may cease delivery of water to the fixture, device or assembly, building or premises until the violation has been satisfactorily corrected. The water superintendent shall notify owners or authorized agent of the owner of scheduled testing for each backflow device or assembly.

Failure to test a backflow device or assembly because of non-notification by the water superintendent will result in loss of service until the device or assembly is properly tested.

A backflow device or assembly shall be rebuilt as needed.

In the cases where the degree of hazard is considered high by the water superintendent, the device or assembly shall be tested on a more frequent basis as
determined by the water superintendent.

The water superintendent shall have the right to test a device or assembly to insure that it complies with the provisions herein.

Section 19. That original sections 26-446, 26-448, 26-449, 26-458, 26-459, 26-463, 26-464, 26-465 and 26-466 of the Co de of the City of Topeka, Kansas, are hereby specifically repealed.

Section 20. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.
PASSED and APPROVED by the City Council July 8, 2008.

CITY OF TOPEKA, KANSAS

____________________________
William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk