

## EXHIBIT "C"

### ORDINANCE NO. 468

#### AN ORDINANCE OF JURUPA COMMUNITY SERVICES DISTRICT ADOPTING A REVISED CROSS-CONNECTION AND BACKFLOW PREVENTION PROGRAM

**WHEREAS**, Jurupa Community Services District has a duly adopted cross-connection and backflow prevention program as required by California law to protect against the introduction of harmful constituents in the District's potable water supply from on-site conditions or uses by District customers that create a risk of contamination; and

**WHEREAS**, this Board of Directors wishes to revise the District's program to conform to certain changes in State law and to better address the District's enforcement of the program;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of Jurupa Community Services District that the District's cross-connection and backflow prevention program shall be as follows:

#### **Section 1 Rules and Regulations**

**Section 1.1 State and Local Regulations.** This Ordinance constitutes the cross-connection control policy ("Policy") of the Jurupa Community Services District ("District") and is intended to comply with the State Water Resources Control Board Division of Drinking Water ("SWRCB DDW") Cross-Connection Control Policy Handbook ("CCCPH") and implement a cross-connection control program ("Program"). To the extent anything in this Policy conflicts with applicable laws or regulations, including without limitation the provisions of the CCCPH, as may be amended from time to time, the provisions of such laws or regulations, including the CCCPH, shall control.

**Section 1.2 Purpose.** This Policy, as well as the Program and CCCPH, are intended to protect the District's water system from the possibility of contamination or pollution by isolating within customer systems such contaminants or pollutants which could backflow or back-siphon into the District system. This Policy and the Program are also intended to provide for the maintenance of a continuing program of cross-connection control, which will systematically and effectively prevent the contamination or pollution of the District's potable water system.

#### **Section 2 Plan for Cross-Connection Control**

Prior to the deadline set forth by the CCCPH, the District will submit a written Cross-Connection Control Plan ("Plan") to the SWRCB DDW in accordance with the requirements set forth in CCCPH Section 3.1.4 and other applicable sections of the CCCPH. The District will ensure its Plan remains updated and representative of its Program and will resubmit the Plan to the SWRCB DDW when substantive revisions are made.

### **Section 3 Definitions**

Except as otherwise specified herein, the terms used in this Policy shall have the meanings ascribed to them in Section 3.1.1. of the CCCPH.

### **Section 4 Fees**

The Board of Directors may, by resolution, establish fees or charges assessed under this Policy to ensure that the costs reasonably borne by the District are collected from the customer, which will include any processing fee. Fees and charges assessed pursuant to this Policy, as well as any expenses incurred by the District in the implementation of this Policy, may be collected by the District on the same bill as the District's bill for water service to the customer and failure to pay the bill may result in delinquent charges and penalties up to and including termination of water service in the same manner as failure to pay the District's fees and charges for water service from the District.

### **Section 5 Failure to Comply**

**Section 5.1 Compliance.** Failure to comply with this Policy or the Program shall constitute a violation of the District's rules and regulations for service. The District may take corrective action if a customer fails to comply with the District's provisions regarding installation, inspection, field testing, or maintenance of backflow prevention assemblies ("BPAs") required by this Policy within a time prescribed by the District.

- (a) Corrective actions may include, but are not limited to:
  - (1) denial or discontinuation of water service;
  - (2) installation, replacement, repair, inspection, field testing, or maintenance of a BPA; and
  - (3) instituting legal action to require compliance.
- (b) Before taking any corrective action under subdivision (a), the District shall issue a Notice of Violation (NOV) to the customer, directing the customer to take corrective action. If the customer fails to comply within the time specified in the NOV, the District may implement the corrective action at the customer's expense. An NOV for field testing shall be issued at least 15 days before the District takes corrective action. An NOV for all other violations shall be issued at least 30 days before the District takes corrective action.

**Section 5.2 Discontinuation of Service.** If a District approved BPA is not installed, tested, and maintained when required by this Policy and applicable State law or regulation (including the CCCPH), or if it is found that a BPA has been removed, by-passed, or if an unprotected cross-connection exists on the premises, the District may discontinue service of water to the premises. Without limiting the generality of the

foregoing or other provisions of this Policy, water service shall be discontinued if District, local health agencies, or SWRCB DDW personnel determine that any of the following have occurred:

- (a) The District's water system is being polluted or is in immediate danger of contamination from a cross-connection;
- (b) The BPA has not been installed after due notice has been given;
- (c) A defect found in the BPA has not been corrected after due notice has been given to make repairs or
- (d) The property owner has failed to submit written test results after receipt of the District's letter requesting annual certification of the backflow prevention device.

The District may discontinue or terminate water service for violations of this Policy that do not create an immediate health risk to the public water system after providing 48 hours' notice of the scheduled discontinuance. The District will post such notice in a conspicuous location on the property and make a good faith effort to contact an adult person at the property by telephone or in person. Notwithstanding the above, the District may discontinue or terminate water service without advance notice anytime a condition exists that creates an immediate health risk to the public water system.

**Section 5.3 Restoration of Service.** Once service has been disconnected, it will not be restored until the BPA has been installed or repaired at the customer's expense and passes testing by an approved certified BPA tester, the cross-connection is abated to the satisfaction of the District, or the violation is otherwise corrected or remediated. The District may require a fee to reinstate service after such a turnoff, as outlined in Section 4.

## **Section 6 Coordinator; Administration and Enforcement**

The General Manager of the District ("General Manager") shall designate a program coordinator ("Coordinator") responsible for the development of and the reporting, tracking, and other administrative duties of the Program. The Coordinator shall maintain status as a cross-connection control specialist. The General Manager (or designee) is authorized to administer and enforce this Policy and the Program.

## **Section 7 Hazard Assessments**

The District will survey its service area and conduct a hazard assessment as required by Chapter 3, Article 2 of the CCCPH.

## **Section 8 Backflow Prevention**

**Section 8.1 Backflow Prohibited.** No person is permitted to cause, permit, facilitate, or maintain an actual or potential cross-connection or any type of

connection that permits an actual or potential backflow of water to the District's system. All installations are subject to inspection and regulation by the District to avoid the possibility of backflow. Backflow prevention devices shall be installed by customers when required by State law or regulation, SWRCB DDW, or by the District in accordance with this Policy, State law or regulation (including the CCCPH), and the Program. The cost thereof shall be borne by the customer.

**Section 8.2 Installation of Approved BPA.** No person is permitted to install, maintain, or allow a metered water service connection to any premises served by the District unless the District system is protected in conformance with applicable State law or regulation (including the CCCPH) and this Policy. Any person who is required to install an approved BPA shall install, maintain, inspect, and test such assembly in accordance with applicable State law or regulation (including the CCCPH) and this Policy at the customer's expense. Every BPA required by law, regulation, or this Policy shall be of model and size approved by the District. BPAs must be installed and tested within thirty (30) calendar days of notice for all assemblies measuring less than or equal to 2.5" in size and within sixty (60) calendar days of notice for all assemblies measuring 3" or larger in size. Extensions may be allowed by the District. Failure, refusal, or inability on the part of the customer to install said assembly or assemblies constitutes grounds for discontinuing water service to such metered or non-metered water service connections until such assembly or assemblies have been properly installed. The customer may elect in writing for the District to install the BPA at the customer's expense.

**Section 8.3 Entry and Inspection.** All customer systems and premises shall be readily accessible for inspection at all reasonable times to authorized representatives of the District to enable the District to ascertain the existence of cross-connections or other structural or sanitary hazards, including violations of the cross-connection rules and regulations in this Policy. The District shall seek customer consent before conducting said inspections. If the customer denies the District access for inspection, the District shall obtain a warrant. District representatives may enter customer premises without consent or a warrant to take corrective actions pursuant to Section 5.1 or to address structural or sanitary hazards that pose an immediate risk of contamination from a cross-connection.

#### **Section 8.4 Levels of Protection Required**

(a) Customers shall install BPAs as required in this Section. BPAs installed shall be no less protective than that which is commensurate with the degree of hazard at a customer's premises, as specified in this Policy and the CCCPH Appendix D and as determined based on the results of the hazard assessment conducted pursuant to CCCPH section 3.2.1. The hazard assessment conducted pursuant to CCCPH Section 3.2.1, once complete, is incorporated herein by reference to establish hazard levels for which customers shall account.

(b) Customers shall at all times protect the District system from high hazard cross-connections through premises containment, through the use of air gap separation ("AG"), or a reduced pressure principle backflow prevention assembly ("RP").

Customers shall comply with any additional requirements or degrees of protection for particular high hazard cross-connections set forth in CCCPH Appendix D.

(c) A swivel-ell type of BPA may be appropriate for use instead of an AG, subject to District approval at District's discretion, if all of the criteria listed in CCCPH section 3.2.2(d) are met.

(d) Unless an exception applies, customers shall protect the District system with no less than double check valve backflow prevention assembly ("DC") protection for a customer's premises with a fire protection system, within 10 years of adoption of the CCCPH. Exceptions are as follows:

(1) A high hazard cross-connection fire protection system (including those that may utilize chemical additions or an auxiliary water supply) shall have at least RP protection.

(2) A BPA is not needed for a low hazard fire protection system on a residential customer's premises if the District determines all of the criteria listed in CCCPH section 3.2.2(e)(3) are satisfied.

(3) If the District identifies alternatives in its Program, pursuant to CCCPH section 3.2.2(e)(2), for existing premises that cannot timely comply with DC protection requirements, such alternatives may apply unless the SWRCB DDW disapproves.

## **Section 8.5 Backflow Prevention Assembly Standards.**

(a) Each AG shall meet the requirements in Table 1, Minimum Air Gaps for Generally used Plumbing Fixtures, page 4 of the American Society of Mechanical Engineers (ASME) A112.1.2- 2012(R2017) (See Appendix B of CCCPH).

(b) Each replaced or newly installed pressure vacuum breaker backsiphonage prevention assembly ("PVB"), spill-resistant pressure vacuum breaker backsiphonage prevention assembly ("SVB"), DC, and RP shall be approved through both laboratory and field evaluation tests performed in accordance with at least one of the following: (a) Standards found in Chapter 10 of the Manual of Cross-Connection Control, Tenth Edition, published by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research; or (b) certification requirements for BPAs in the Standards of ASSE International current as of 2022 that include ASSE 1015-2021 for the DC, ASSE 1048-2021 for the DCDA & DCDA-II, ASSE 1013-2021 for the RP, and ASSE 1047-2021 for the RPDA & RPDA-II and shall have the 1YT mark. BPAs shall not be modified following approval. A BPA tester shall notify the District if a BPA has been modified from the CCCPH section 3.3.1(b) approval.

## **Section 8.6 Backflow Prevention Assembly Installation Criteria.**

(a) BPAs shall be installed in accordance with any and all criteria set forth in CCCPH Section 3.3.2.

(b) Except as otherwise provided and required by the CCCPH, approved BPAs shall be installed and located as close as practical to the customer's service connection, or at a location approved by the General Manager or designee, and all approved BPAs shall be installed before the first branch line leading off the service.

## **Section 9 Certification of Specialists and Testers**

All BPA testers and cross-connection control specialists shall be certified per CCCPH Chapter 3, Article 4.

## **Section 10 Backflow Prevention Assembly Testing**

**Section 10.1 General Provisions.** Through implementation of this section, the District will ensure compliance with CCCPH section 3.3.3, governing field testing and repair of BPAs and inspection of air-gap separations. The District will also comply with and ensure compliance with the procedures for testing identified in its Plan.

### **Section 10.2 Customer Testing**

(a) **Testing by Customer.** The customer will own the approved BPA and will have full responsibility for annual testing (or more often if required by the District) and other testing in compliance with this Policy and CCCPH section 3.3.3, as well as maintenance, repair and retesting, and for providing the District with proper records and test data. The customer shall also field test all BPAs following installation, repair, depressurization for winterizing, or permanent relocation. Air-gap separations shall be visually inspected at least annually. Testing and inspection reports shall be submitted on District test forms.

(b) **District Testing.** The customer may elect, at its discretion, to have the District perform the customer's responsibilities described in section (a) at the customer's expense. The customer shall inform the District of its election in writing. Customer systems and premises shall be made readily accessible for inspection at all reasonable times pursuant to Section 1.7.3.

(c) **Service is Contingent.** The District will not provide continuous water service to a customer with a newly installed BPA until the District receives passing field tests. The customer is responsible for providing the District with passing field tests to receive service.

(d) **Annual Testing Notices.** Annual testing/inspection notices will be mailed to the District's customers, giving them 60 days to test/inspect, and repair, if necessary, their assembly and furnish the test/inspection and repair data to the District. After 30 days, if no test/inspection data is furnished to the District, the District will mail a second notice of the due date. If no test/inspection data is furnished to the District within the 60 day period, the District shall commence corrective action(s) in accordance with this Policy. Nothing in this section precludes the District from terminating service without notice when the District determines that a condition exists that creates an immediate health risk to the public water system.

(e) **Certified Testers.** Air-gap separations shall be visually inspected by certified backflow prevention assembly testers or certified cross-connection control specialists. Other tests required by this section shall be conducted by certified BPA testers approved by the District.

(f) **Additional Tests.** Additional tests shall be conducted as frequently as necessary to ensure the effectiveness of the BPAs and in any event not less frequently than once a year.

(g) **Failed Tests.** In the event a BPA is found to be unsatisfactory, the General Manager or his/her designee shall commence corrective action(s) in accordance with this Policy. BPAs that fail field tests/inspections shall be repaired or replaced by the customer within 30 days of notification from the tester of the failure. Failure to repair or replace within 30 days may result in discontinuation of service. The District may allow extensions if included as part of the District's Plan. The customer may elect in writing to have the District replace or repair the BPA at customer's expense.

(h) **Backflow Incidents.** BPA testers shall notify the District as soon as possible (within 24 hours maximum) if a backflow incident or an unprotected cross-connection is observed at the BPA or prior to the customer's premises during field testing. The District will immediately conduct an investigation and discontinue service to the customer's premises pursuant to this Policy if a backflow incident is confirmed, and water service will not be restored to that customer's premises until the District receives a confirmation of a passing BPA field test from a BPA tester and the District determines the BPA is protecting the District.

### **Section 10.3 Approved Testers**

(a) The District shall maintain a list of approved certified BPA testers ("Approved Tester List"). Only testers from the Approved Tester List may be used for any testing and inspection. Only test results received from testers on the Approved Tester List will be considered valid. Any other testing results will not be accepted.

(b) For a tester to be eligible for inclusion on the Approved Tester List, a tester shall meet all of the following criteria:

(1) Possess sufficient qualification and certification to be considered a certified BPA tester under the CCCPH;

(2) Possess a current valid Backflow Prevention Tester's Certificate issued by the CA/NV Section of the American Water Works Association/ABPA/ASSE;

(3) Maintain a valid business license;

(4) Provide accurate test results;

(c) Testers shall maintain eligibility at all times in order to remain on the Approved Testers List.

**Section 10.4 Testing, Inspection and Repair Records.** Each customer who is required to install, test, inspect, maintain, or repair an approved backflow prevention device shall maintain records of such tests, inspections, repairs, and overhauls for three years and shall provide a copy of the records to the District on request.

## **Section 11 Recordkeeping**

The District will maintain records in accordance with the District's Records Retention Policy.

## **Section 12 Backflow Incident Response, Reporting and Notification**

**Section 12.1 Inclusion in District Plan.** Pursuant to Chapter 3, Article 5 of the CCCPH, the District will include backflow incident response procedures in its Plan, and the District will comply with such procedures.

**Section 12.2 Notification of SWRCB DDW and Local Health Agency.** The District will notify the SWRCB and local health agencies of any known or suspected incidents of backflow within 24 hours of the District's determination and comply with applicable reporting and/or notification requirements, including those contained at CCCPH Section 3.5.3.

## **Section 13 Public Outreach and Education**

The District will implement a public outreach and education program, identified in its Plan, that includes educating staff, customers, and the community about backflow protection and cross-connection control. Methods may include providing information on cross-connection control and backflow protection in periodic water bill inserts, pamphlet distribution, new customer documentation, email, and consumer confidence reports.

## **Section 14 Local Entity Coordination**

The District will coordinate with applicable local entities that are involved in either cross-connection control or public health protection (including plumbing, permitting, or health officials, law enforcement, fire departments, maintenance, and public and private entities) to ensure hazard assessments can be performed, to ensure appropriate backflow protection is provided, and to provide assistance in the investigation of backflow incidents.

## **Section 15 Appeals**

**Section 15.1 Initial Appeal.** A customer may appeal any determination made pursuant to this Policy by filing in writing with the General Manager (or designee) within 10 days after the determination, setting forth the following:

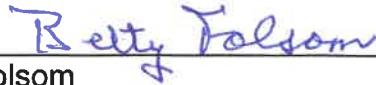
- (1) The appealing customer's full name, address and phone number;
- (2) The determination subject to the appeal;
- (3) The date of the determination;
- (4) The appealing customer's interest in the challenged determination; and
- (5) Each issue that the appealing customer alleges was wrongly determined, together with every argument and a copy of every item of evidence that supports the customer's allegations.

**Section 15.2 Appeals Relating to New Meters or Service.** If an appeal involves a new meter installation, the District will not commence water service until after a written decision is made. The written decision of the General Manager will be final.

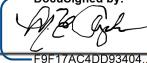
**Section 15.3 Appeals of Matters Involving Immediate Health Risk.** If an appeal concerns a matter involving an immediate health risk to the public water system, the District shall be entitled to take any action authorized by this Policy, its rules and regulations, or State law for the benefit of the public water system while such appeal is pending and proceeding.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective 30 days after its adoption, shall supersede Ordinance No. 67, and that the Secretary of the Board of Directors shall provide for the publication of this Ordinance or a summary thereof in a newspaper of general circulation within the boundaries of the District in the manner required by law.

**ADOPTED** this 9<sup>th</sup> day of June, 2025.

  
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Betty Folsom  
President of the Board of Directors

**ATTEST:**

  
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Maria E. Ayala  
Executive Services Manager/  
Secretary to the Board of Directors

## CERTIFICATION

I, Maria E. Ayala, Secretary to the Board of Directors of Jurupa Community Services District, certify that the foregoing resolution was adopted by the Board of Directors at a regular meeting held on the 9<sup>th</sup> day of June, 2025, by the following vote of the Directors:

**AYES:**      Betty Folsom, Anthony Herda, Kenneth McLaughlin, Lupe Nava, Bart Moreno

**NOES:**      None

**ABSENT:**      None

**ABSTAIN:**      None

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of Jurupa Community Services District, this 9th day of June, 2025.

  
\_\_\_\_\_  
DocSigned by:  
F9F17AC4D093404

Maria E. Ayala  
Executive Services Manager/  
Secretary to the Board of Directors