

TITLE VIII.

PLUMBING CODE

CHAPTERS:

8-01. General Provisions.

8-02. Backflow Prevention. (Source: Ord. 2022-12, Sec. 1)

CHAPTER 8-01

GENERAL PROVISIONS

SECTIONS:

- 8-0101. Adoption of North Dakota State Plumbing Code.
- 8-0102. Amendment of State Plumbing Code.
- 8-0103. State to Administer and Enforce Code.
- 8-0104. Right of Entry.
- 8-0105. Protection of Water Supply System.
- 8-0106. Penalty.

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8-0101. **NORTH DAKOTA STATE PLUMBING CODE ADOPTED.** The North Dakota State Plumbing Code is hereby adopted and all installations, repairs and alterations of plumbing shall, from the effective date of this ordinance, be performed in accordance with its provisions. The installation in buildings of the pipes, fixtures, and other facilitating apparatus for bringing water into, and using the same in buildings, and for removing liquids and water-carried wastes therefrom and including the practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: sanitary drainage or storm drainage facilities, the venting system, and the public or private water-supply systems, within or adjacent to any building or other structure, or conveyance, also the practice and materials used in the installation, maintenance, extension, or alteration of the storm water or sewage system of any premises to their connection with any point of public disposal or other terminal in the City of Argusville, North Dakota, shall meet the provisions of the North Dakota State Plumbing Code as the same are now established in said Code, copies of which said Code are on file with the City Auditor and are hereby a part of the chapter by reference, with the exception of the sections hereinafter set forth affecting local conditions in the City, which sections shall be substituted for and in lieu of any like sections or paragraphs in the North Dakota State Plumbing Code; and the City Council, by this section, hereby approves and adopts such rules and regulations, as so modified, for use and application in the City of Argusville, including any area within the extraterritorial zoning jurisdiction of the City.

8-0102. **AMENDMENT OF STATE PLUMBING CODE.**

- A. No services shall be constructed from a main for any purpose having a greater capacity than fifty percent of

the main, and in no case shall a service be larger than eight inches in diameter.

- B. Services one and one-half inches in diameter or less shall be of copper pipe, which shall conform to the latest revision ASTM Specification B88-33 for underground services known as Type "L" soft tubing, or greater. Taps on water mains may be made up to two inches in diameter except on mains of six inches diameter or less when taps larger than one inch will not be permitted.
- C. Services one and one-half inches in diameter or less which are located in the same trench as the sewer service main, shall conform to the latest revision ASTM Specification B88-33 for underground services known as Type "K" soft tubing, or greater, and said water service pipe must be placed at an elevation at least twelve inches above the sewer service.
- D. If the water service is placed in the same trench as the sewer service, the sewer service shall be subject to the following requirements:
  - (i) Shall not leak when subjected to a ten-foot head of water, or equivalent.
  - (ii) Joints must be water-tight and root-proof.
  - (iii) A sewer pipe must be dwv schedule 40 plastic or heavier.
  - (iv) The sewer service must be installed at least twelve inches lower than the water service.
- E. Services over one and one-half inches in diameter shall be either copper or PVC 900 pipe connected to the main by a Zapping sleeve and valve or tee. Gate valves below four inches shall not be used. Any service less than four inches in size shall have a four-inch gate valve with proper reducers.
- F. No new service shall be constructed and no existing service shall be changed in such manner that more than one building shall be on same service.
- G. Copper services shall have at least two feet of extra length between the main and the curb cock.

H. 1. All new businesses that have deep fryers or grills, prepare or cook meat, or require a grease extracting hood that exceed 100 mg. per liter FOG regulation, must install a grease trap or interceptor. All grease traps and interceptors must be designed using standard engineering principles for sedimentation and floatation in gravity separators. Sufficient grease and storage capacity is required, with the minimum capacity of 50 GPM flow rate. Other treatment works or devices designed to remove greases from the wastewater may be used but must be approved in writing by the City Agent. All businesses maintaining grease trap interceptors must maintain the grease traps and interceptors so that they perform in the manner in which they are designed. Each business must maintain a log setting forth the maintenance on the grease traps or interceptors, which logs shall be available for inspection by an employee of the City of Argusville within the normal business hours of the business.

2. Businesses that exist as of the date of this ordinance that have deep fryers or grills, prepare or cook meat, or require a grease extracting hood that exceeds 100 mg. per liter FOG regulation, are grandfathered and are not required to install a grease trap or interceptor as set forth above, except the business must do so if any of the following conditions apply:

- (i) The business undertakes a major renovation of the cooking area in the business.
- (ii) The business makes major upgrades to kitchen equipment in the business.

Any existing business which is required to install grease traps and interceptors as a result of this section shall be ordered to install one within a reasonable period of time as set in a written notice from the City Agent.

8-0103. **STATE TO ADMINISTER AND ENFORCE CODE.** The administration and enforcement of this chapter shall be by the State of North Dakota, who shall be referred to in this chapter as the "administrative authority" and who is hereby authorized to enforce the provisions of this chapter and to make the inspections and tests required thereunder. The State may appoint a person or persons to act on its behalf as such administrative authority. The State shall be responsible for the setting and collection of fees,

the granting of permits and the inspections required by the North Dakota State Plumbing Code.

8-0104. **RIGHT OF ENTRY.** The administrative authority shall have the right to enter any premises at reasonable times for the purpose of inspecting any plumbing system.

8-0105. **PROTECTION OF WATER SUPPLY SYSTEM.** The administrative authority shall make such rules and regulations in furtherance of the purposes of this title and not inconsistent with the specific provisions of this title for the installation, repair or alteration of air-conditioning systems, water-treatment equipment, and water-operated devices as may be deemed necessary to properly protect the water supply system.

8-0106. **PENALTY.** Any person violating any provision of the Plumbing Code adopted by this title or any section of this title shall be guilty of an infraction and shall be subject to the penalties set forth in Section 1-0211. Each day such violation continues shall be considered a separate offense.

8-0107. **LICENSE REQUIRED.** No individual or company shall engage in the business of plumbing in the City of Argusville unless at all times a registered and license master plumber, who is responsible for the proper installation thereof, is in charge of such work. No person shall engage in the business of plumbing as a master plumber or journeyman plumber without being licensed and registered as a master plumber or journeyman plumber by the State of North Dakota. No local license will be required.

CHAPTER 8-02

BACKFLOW PREVENTION  
(Source: Ord. 2022-12, Sec. 1)

Sections:

- 8-0201. Purpose.
- 8-0202. Authority.
- 8-0203. Applicability.
- 8-0204. Definitions.
- 8-0205. Requirements.
- 8-0206. Inspection, Testing and Repair.
- 8-0207. Reporting and Recordkeeping.
- 8-0208. Right of Entry.
- 8-0209. Compliance.
- 8-0210. Violations and Penalties.
- 8-0211. Conflict with Other Codes.

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8-0201. **PURPOSE.** The purpose of this Ordinance is to protect the public water system from contaminants or pollutants that could enter the distribution system by backflow from a customer's water supply system through the service connection.

8-0202. **AUTHORITY.** The authority to implement this program is contained in the following documents:

1. North Dakota Administrative Code 33.1-17-01-19 Protection of Public Water Systems
2. 2018 North Dakota Plumbing Code
3. 2018 Uniform Plumbing Code

The public water system shall have the authority to survey all service connections within the distribution system to determine if the connection is a cross-connection.

The public water system shall have the authority to control all service connections within the distribution system if the connection is a cross-connection.

The public water system may control any service connections within the distribution system in lieu of a survey if the service connection is controlled with an air gap or reduced pressure zone backflow prevention assembly.

The public water system may collect fees for the administration of this program.

The public water system shall maintain records of cross-connection surveys and the installation, testing and repair of all backflow prevention assemblies installed for containment and containment by isolation purposes.

Except as otherwise provided herein, the public water system shall administer, implement and enforce the provisions of this Ordinance.

8-0203. **APPLICABILITY.** This Ordinance applies to all commercial, industrial and multi-family residential service connections within the public water system and to any persons outside the City who are, by contract or agreement with the public water system, users of the public water system. This Ordinance does not apply to single-family-residential service connections unless the public water system becomes aware of a cross connection at the single-family connection.

8-0204. **DEFINITIONS.**

1. "ACTIVE DATE" means the first day that a backflow prevention assembly or backflow prevention method is used to control a cross-connection in each calendar year.
2. "AIR GAP" is a physical separation between the free-flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel installed in accordance with standard ASME A112.1.2.
3. "BACKFLOW" means the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the public water systems distribution system from any source or sources other than its intended source.
4. "BACKFLOW CONTAMINATION EVENT" means backflow into a public water system from an uncontrolled cross connection such that the water quality no longer meets the North Dakota Primary Drinking Water Regulations or presents an immediate health and/or safety risk to the public.
5. "BACKFLOW PREVENTION ASSEMBLY" means any mechanical assembly installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the mechanical assembly is

appropriate for the identified contaminant at the cross connection and is an in-line field-testable assembly.

6. "BACKFLOW PREVENTION METHOD" means any method and/or non-testable device installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the method or non-testable device is appropriate for the identified contaminant at the cross connection.
7. "CERTIFIED CROSS-CONNECTION CONTROL TESTER OR REPAIRER" means a person who possesses a valid Backflow Prevention Assembly Tester certification from one of the following approved organizations: American Society of Sanitary Engineering (ASSE) or the American Backflow Prevention Association (ABPA). If a certification has expired, the certification is invalid.
8. "CONTAINMENT" means the installation of a backflow prevention assembly or a backflow prevention method at any connection to the public water system that supplies an auxiliary water system, location, facility, or area such that backflow from a cross connection into the public water system is prevented.
9. "CONTAINMENT BY ISOLATION" means the installation of backflow prevention assemblies or backflow prevention methods at all cross connections identified within a customer's water system such that backflow from a cross connection into the public water system is prevented.
10. "CONTROLLED" means having a properly installed, maintained, and tested or inspected backflow prevention assembly or backflow prevention method that prevents backflow through a cross connection.
11. "CROSS CONNECTION" means any connection that could allow any water, fluid, or gas such that the water quality could present an unacceptable health and/or safety risk to the public, to flow from any pipe, plumbing fixture, or a customer's water system into a public water system's distribution system or any other part of the public water system through backflow.
12. "MULTI-FAMILY" means a single residential connection to the public water system's distribution system from which two or more separate dwelling units are supplied water.



13. "SINGLE-FAMILY" means:
  - a. A single dwelling which is occupied by a single family and is supplied by a separate service line; or
  - b. A single dwelling comprised of multiple living units where each living unit is supplied by a separate service line.
14. "UNCONTROLLED" means not having a properly installed and maintained and tested or inspected backflow prevention assembly or backflow prevention method, or the backflow prevention assembly or backflow prevention method does not prevent backflow through a cross connection.
15. "WATER SUPPLY SYSTEM" means a water distribution system, piping, connection fittings, valves and appurtenances within a building, structure, or premises. Water supply systems are also referred to commonly as premise plumbing systems.

8-0205.     **REQUIREMENTS.**

1. Commercial, industrial and multi-family service connections shall be subject to a survey for cross connections. If a cross connection has been identified an appropriate backflow prevention assembly and or method shall be installed at the customer's water service connection within 60 days of its discovery. The assembly shall be installed downstream of the water meter or as close to that location as deemed practical by the public water system. If the assembly or method cannot be installed within 60 days the public water system must take action to control or remove the cross connection, suspended service to the cross connection or receive an alternative compliance schedule from the North Dakota Department of Environmental Quality.
2. In no case shall it be permissible to have connections or tees between the meter and the containment backflow prevention assembly.
  - a. In instances where a reduced pressure principle backflow preventer cannot be installed, the owner must install approved backflow prevention devices or methods at all cross-connections within the owner's plumbing system.

3. Backflow prevention assemblies and methods shall be installed in a location which provides access for maintenance, testing and repair.
4. Reduced pressure principle backflow preventers shall not be installed in a manner subject to flooding.
5. Provisions shall be made to provide adequate drainage from the discharge of water from reduced pressure principle backflow prevention assemblies. Such discharge shall be conveyed in a manner which does not impact waters of the state.
6. All assemblies and methods shall be protected to prevent freezing. Those assemblies and methods used for seasonal services may be removed in lieu of being protected from freezing. The assemblies and methods must be reinstalled and then tested by a certified cross-connection control technician upon reinstallation.
7. Where a backflow prevention assembly or method is installed on a water supply system using storage water heating equipment such that thermal expansion causes an increase in pressure, a device for controlling pressure shall be installed.
8. All backflow prevention assemblies shall be tested at the time of installation and on an annual schedule thereafter. Such tests must be conducted by a Certified Cross-Connection Control tester or repairer.
9. The public water system shall require inspection, testing, maintenance and as needed repairs and replacement of all backflow prevention assemblies and methods, and of all required installations within the owner's plumbing system in the cases where containment assemblies and/or methods cannot be installed.
10. All costs for design, installation, maintenance, testing and as needed repair and replacement are to be borne by the customer.
11. No grandfather clauses exist except for fire sprinkler systems where the installation of a backflow prevention assembly or method will compromise the integrity of the fire sprinkler system.

12. For new buildings, all building plans must be submitted to the public water system and approved prior to the issuance of water service. Building plans must show:
  - a. Water service type, size and location;
  - b. Meter size and location;
  - c. Backflow prevention assembly size, type and location;
  - d. Fire sprinkler system(s) service line, size and type of backflow prevention assembly.
    - (1) All fire sprinkling lines shall have a minimum protection of an approved double check valve assembly for containment of the system.
    - (2) All glycol (ethylene or propylene), or antifreeze systems shall have an approved reduced pressure principle backflow preventer for containment.
    - (3) Dry fire systems shall have an approved double check valve assembly installed upstream of the air pressure valve.
    - (4) In cases where the installation of a backflow prevention assembly or method will compromise the integrity of the fire sprinkler system the public water system can chose to not require the backflow protection. The public water system will measure chlorine residual at location representative of the service connection once a month and perform periodic bacteriological testing at the site. If the public water system suspects water quality issues the public water system will evaluate the practicability of requiring that the fire sprinkler system be flushed periodically.

8-0206. **INSPECTION, TESTING AND REPAIR.**

1. Backflow prevention assemblies or methods shall be tested by a Certified Cross-Connection Control Technician upon installation and tested at least annually, thereafter. The tests shall be made at the expense of the customer.
  - a. Any backflow prevention assemblies or methods that are non-testable, shall be inspected at least once

annually by a certified cross-connection control technician. The inspections shall be made at the expense of the customer.

2. As necessary, backflow prevention assemblies or methods shall be repaired and retested or replaced and tested at the expense of the customer whenever the assemblies or methods are found to be defective.
3. Testing gauges shall be tested and calibrated for accuracy at least once annually.

8-0207. **REPORTING AND RECORDKEEPING.**

1. Copies of records of test reports, repairs and retests, or replacements shall be kept by the customer for a minimum of three (3) years.
2. Copies of records of test reports, repairs and retests shall be submitted to the public water system by mail, facsimile or e-mail by the testing company or testing technician.
3. Information on test reports shall include, but may not be limited to,
  - a. Assembly or method type;
  - b. Assembly or method location;
  - c. Assembly make, model and serial number;
  - d. Assembly size;
  - e. Test date;
  - f. Test results including all results that would justify a pass or fail outcome;
  - g. Certified cross-connection control technician certification agency;
  - h. Technician's certification number;
  - i. Technician's certification expiration date;
  - j. Test kit manufacturer, model and serial number;
  - k. Test kit calibration date.

8-0802. **RIGHT OF ENTRY.**

1. A properly credentialed representative of the public water system shall have the right of entry to survey all buildings and premises for the presence of cross-connections for possible contamination risk and for determining compliance with this section. This right of entry shall be a condition of water service in order to protect the health, safety and welfare of customers throughout the public water system's distribution system.

8-0209. **COMPLIANCE.**

1. Customers shall cooperate with the installation, inspection, testing, maintenance, and as needed repair and replacement of backflow prevention assemblies and with the survey process. For any identified uncontrolled cross-connections, the public water system shall complete one of the following actions within 120 days of its discovery:
  - a. Control the cross connection;
  - b. Remove the cross connection;
  - c. Suspend service to the cross connection.
2. The public water system shall give notice in writing to any owner whose plumbing system has been found to present a risk to the public water system's distribution system through an uncontrolled cross connection. The notice and order shall state that the owner must install a backflow prevention assembly or method at each service connection to the owner's premises to contain the water service. The notice and order will give a date by which the owner must comply.
  - a. In instances where a backflow prevention assembly or method cannot be installed, the owner must install approved backflow prevention assemblies or methods at all cross-connections within the owner's water supply system. The notice and order will give a date by which the owner must comply.

8-0210. **VIOLATIONS AND PENALTIES.**

1. Any violation of the provisions of this ordinance, shall, upon conviction be punishable as provided in all applicable statutes, laws, and regulations.

8-0211. **CONFLICT WITH OTHER CODES.**

1. If a dispute or conflict arises between the North Dakota Plumbing Code as adopted herein, and any plumbing, mechanical, building, electrical, fire or other code adopted by the State, then the most stringent provisions of each respective code shall prevail.