

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING SECTION 15.32.080, "STATE
CONNECTION REGULATIONS—BACKFLOW
CONTROL DEVICES," OF THE MERCED
MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. AMENDMENT TO CODE. Section 15.32.080, "State Connection Regulations—Backflow Control Devices," of the Merced Municipal Code is hereby amended to read as follows:

"15.32.080 State Connection Regulations—Backflow Control Devices.

A. In making plumbing connections, the customer shall comply with the regulations of the state and county departments of public health.

1. In addition to the applicable state and county regulations, the following is prohibited, unlawful and a misdemeanor subject to punishment in accordance with Chapter 1.12 of this code, because of the threat to the public health:

- a. Unprotected cross connections between a public supply and any unapproved source of water; and
- b. Water service to premises where there is a possibility of contaminated water backflowing into the public water system.

2. In addition, approved double check valves or other protective devices shall be installed on water services when:

- a. Another source of water, whether cross connected or not, is in use or is available for use; or
- b. Containing liquid substances of any kind are used, produced, or processed.

B. The director shall determine the type, design and layout of backflow control devices required at each premises, and the devices shall be installed at the expense of the customer. The control devices shall be inspected, tested, and approved by the director as a condition of services to the premises.

C. Pursuant to Merced Municipal Code Sections 17.28.020 and 17.32.080, the only approved Residential Fire Sprinkler System shall be a 'Multipurpose' design and shall be a 'Passive Purge' system as per NFPA 13D and the California Building Code."

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2019, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2019, by the following called vote:

AYES: **Council Members:**

NOES: **Council Members:**

ABSTAIN: **Council Members:**

ABSENT: **Council Members:**

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

Date