



Board Agenda Item 14

DATE: November 18, 2025

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: First Hearing Amending Chapter 14.10 of the Fresno County Code (Cross Connection Controls for Public Water Systems of County Waterworks Districts and County Service Areas)

RECOMMENDED ACTION(S):

- 1. Conduct first hearing on an Ordinance amending the title of Chapter 14.10 of the Fresno County Ordinance Code (from “Water Service and Billing Procedures for the County of Fresno Waterworks District” to “Water Service and Billing Procedures for County of Fresno Waterworks Districts and County Service Areas”), amending section 14.10.20 (Definitions) and section 14.10.080, including amending the title of section 14.10.080 (from “Backflow Prevention Devices, Installation Requirements and Protective Enclosures” to “Backflow Prevention: Responsibility and Authority”) thereof, and adding sections 14.10.081 through 14.10.087 thereof relating to cross-connection protection requirements, water service termination for cross-connection hazard, cross-connection violation declared public nuisance, enforcement and administrative citations, appeal of administrative citations, and remedies, waive reading of the Ordinance in its entirety and set the second hearing for December 9, 2025;**
- 2. Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and**
- 3. Direct the Clerk of the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1).**

The recommended actions will provide direction for the Department to proceed with the second reading of the proposed Cross-Connection Control Ordinance (Ordinance), which applies to 21 County administered water systems (Districts). This includes waterworks districts and county service areas, serving approximately 3,500 service connections.

A cross-connection is any actual or potential link between a potable water system (here, a District’s public water system) and a non-potable source through which backflow could occur. Backflow is the unwanted reversal of flow that lets liquids, gases, or other substances enter the potable system. Because every cross-connection is a point where contaminants can enter drinking water, it must be controlled. Cross-connection controls involve installing, testing, and maintaining approved backflow prevention assemblies at a customer’s property.

The recommended Ordinance would authorize the Director or designee of the Department to issue an administrative citation of a \$500 fine per violation.

This item is time sensitive because the State Water Resources Control Board (SWRCB) requires the County to enact an updated cross-connection control ordinance for the Districts by December 31, 2025. This item is countywide.

ALTERNATIVE ACTION(S):

Staff have not identified any viable alternative. If the recommended actions are not approved, the Districts will be unable to comply with Section 116555.5 of the California Health and Safety Code requiring a Cross Connection Control Plan (CCCP) for each District by December 31, 2025. The plan requires an Ordinance to establish the legal authority to carry out the CCCP. Failure to comply may result in the issuance of compliance, enforcement, or other corrective actions against each of the Districts.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. All costs associated with the recommended Ordinance, including those associated with the Board hearings, are paid for by the 21 Districts which receive water services. All costs associated with the CCCP shall be paid from the water fees charged to the benefiting properties in the Districts.

DISCUSSION:

County Service Areas and Waterworks Districts were created to provide water services to communities throughout Fresno County. The County includes 21 Districts serving approximately 3,500 water service connections. Potable water, raw well water, and reclaimed water are provided to the various Districts for drinking, household use, and irrigation.

Cross-connections are connections between a potable water supply and a non-potable source. Backflow is the reversal of flow of water or other substances into the distribution system, caused by a change in pressure. Backflows of non-potable water into the potable water source can occur when cross-connections are present, resulting in contamination of the water system.

Backflow prevention assemblies keep non-potable water from mixing with the potable water system in the event of a backflow.

To protect the Districts' water systems from backflow contamination, the recommended Ordinance would require that all cross-connections within the Districts are equipped with a properly installed and functioning backflow prevention assembly. While the County Ordinance Code currently has provisions on backflow prevention, the proposed ordinance provides more comprehensive regulations on backflow and provides more authority to the Department in enforcing these regulations.

The recommended Ordinance will apply to all water service users that meet a specific hazard classification threshold, as determined by the County's employed Cross-Connection Control Specialists.

The Department expects that most typical households will not require new backflow prevention assemblies because modern homes have plumbing that is already designed to prevent backflow.

The SWRCB requires each District to have a CCCP on file, indicating how hazard assessments will be conducted to identify potential cross-connections, outlining requirements for homeowners with cross-connections, including proper installation and annual testing of backflow prevention assemblies at the homeowner's cost. The CCCP also includes requirements for responding to backflow incidents.

The recommended Ordinance provides the legal authority for the Director or designee to enforce the requirements within the CCCP, including an administrative citation of a \$500 fine per violation for a failure to comply and termination of water service for identified hazards that present an apparent hazard to the

District's water system.

The recommended Ordinance provides, after an initial thirty (30) days' notice given to the customer, for a fifteen-day warning notice followed by a forty-eight hour notice in cases where a customer fails or refuses to install or test a backflow prevention assembly in compliance with manufacturer specifications on the customer service property, or to repair or replace a defective backflow prevention assembly on the customer service property.

In the following cases, water service will be terminated after an initial notice period (e.g., Director or designee attempts to make on-site contact with the customer or any other person occupying the customer service property) that need not exceed three calendar days followed by the on-site posting of a forty-eight hour notice:

- There is a direct or indirect connection between the public water system and a sewer line, or a system or equipment containing contaminants; or
- There is an unprotected direct or indirect connection between the public water system and an auxiliary water system.

However, if a clear and present hazard to the water supply exists on the customer service property, the Department may immediately terminate water service, but, upon the termination of service, the Director or designee shall promptly post a notice on the customer service property within a reasonable time thereafter under the circumstances.

The recommended Ordinance also provides for an appeal process for administrative citations.

Lastly, the recommended Ordinance contains some clean-up language, such as clarification of Chapter 14.10 and definitions for Chapter 14.10.

If your Board approves the first reading of the proposed Ordinance, the Department will return to your Board with a second reading on December 9, 2025. If at the second reading your Board adopts the proposed Ordinance, the Ordinance will go into effect after 30 days.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance
Ordinance (Redline)
On file with Clerk - Ordinance Summary

CAO ANALYST:

Maria Valencia