

Groups argue for local control of pipeline routes

Counties are appealing federal judge's ruling against their zoning ordinances that would increase setback rules

By Jared Strong
Iowa Capital Dispatch

A federal judge has wrongly limited the authority of county and state officials to restrict the placement of carbon dioxide pipelines for public safety, according to several groups that are challenging the judge's recent decisions.

Those challenges stem from December rulings in which Chief Judge Stephanie Rose, of the federal Southern District of Iowa, blocked two Iowa counties from enforcing ordinances that create minimum separation distances between the pipelines and buildings that are occupied by people or animals.

They were the result of lawsuits Summit Carbon Solutions filed against counties that have attempted to govern where its sprawling pipeline system can go and to require the company to provide plans that show the safety risks of a system breach.

Summit wants to build a pipeline network that would transport captured carbon dioxide from ethanol plants in five states — including 30 in Iowa — to North Dakota for underground storage. Its initial construction permit is awaiting a decision in Iowa, and the company has sued five counties in the state that enacted ordinances.

ROSE SIDED WITH SUMMIT in two of the lawsuits regarding Shelby and Story counties, and the other three are paused until appeals of Rose's decisions conclude.

Summit has argued — and Rose agreed — that state law gives the Iowa Board the ultimate say on pipeline

routes and that the safety-related provisions of the ordinances conflict with federal law. The ordinances reflect public apprehensions about the pipelines, which have the potential to create a deadly plume of carbon dioxide if they rupture.

Rose said minimum separation distances — or setbacks — are “within the field of safety standards” and are the territory of federal regulators. As such, neither county nor state can impose them, she reasoned.

That interpretation of the law is a concern to the Iowa Farm Bureau Federation, which has asked the IUB to keep Summit's pipe at least 400 feet from homes and livestock buildings.

There are 112 homes and 36 livestock barns within 400 feet of Summit's initial proposed route, wrote Chris Gruenhagen, an attorney for Iowa Farm Bureau, in a court brief in partial support of the appeals.

“THE DISTRICT COURT'S ruling ... would restrict the state's ability to judiciously review the proposed location and routing of the proposed pipeline,” Gruenhagen wrote.

Rose's interpretation of federal law was contradicted in September by the Pipeline and Hazardous Materials Safety Administration, which regulates the design, construction and operation of carbon dioxide pipelines to ensure public safety.

PHMSA sent a letter to Summit that month that said state and local governments are allowed to establish minimum separation distances.

“Local governments have traditionally exercised broad powers to regulate land use, including setback distances and property development that includes development in the vicinity of pipelines,” wrote Alan Mayberry, a pipeline safety administrator for PHMSA. “Nothing in the federal pipeline safety law impinges on these traditional prerogatives of local — or state — government, so long as officials do not attempt to regulate the field of pipeline safety preempted by federal law.”

Rose decided the initial ver-

dict of the Shelby and Story ordinances were so restrictive they “will lead to a situation where the IUB may grant a permit to construct a pipeline and Summit is unable to do so.”

STORY COUNTY MODIFIED its ordinance after the lawsuit was filed to include lesser setbacks. It's unclear whether the changes would alleviate Rose's concerns because she did not address the changes in her December ruling. Rose did, however, say state law does not explicitly prevent counties from adopting the setbacks.

An attorney for the counties argues there is not evidence the ordinances are overly restrictive, in part because they would

allow Summit to ask for exceptions when a pipeline could not comply with the setbacks.

“In reaching these conclusions, the district court fundamentally misapplied Iowa law,” wrote Jason Craig, a Des Moines attorney who is representing the counties in federal court.

It's unclear when the appeals will conclude. They were initiated in December, consolidated in January, and Craig filed a brief with his arguments in early May. Summit's response is due July 1.

Iowa Farm Bureau, the Pipeline Safety Trust and the Iowa Farmer's Union have also filed briefs that argue against various determinations by the judge.

“Given the impacts of hazardous liquid pipelines, and carbon dioxide pipelines in particular, it is important to give local ordinances their rightful place in protecting the public from those impacts,” wrote Wallace Taylor, a Sierra Club of Iowa attorney who is also representing the Pipeline Safety Trust.

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Floyd County Board of Supervisors Meeting

May 20, 2024, 9:00 a.m.

The Floyd County Board of Supervisors met in the Board Room of the Floyd County Courthouse with the following in attendance: Supv Mark Kuhn, Supv Dennis Keifer, and Supv Jim Jorgensen.

Keifer/Jorgensen moved to approve the agenda as presented. Motion carried 3-0.

Public comment: None. The May 13, 2024 meeting minutes. Motion carried 3-0.

Jorgensen/Keifer moved to approve the claims/secondary: County #2512-2594, Edg/Secondary Roads #10650-10660 and Drains #15411. Motion carried 3-0.

Ablers, Legal.....	238.03
Ahliant, Elect.....	293.19
G Arjes, Reimb.....	38.76
A Bellinger, Reimb.....	202.35
Black Hills, Util.....	66.86
REC, Elect.....	787.68
J Butterfield, Reimb.....	131.67
S Butterfield, Reimb.....	124.83
YesWay, Fuel.....	3100.95
Carquest, Parts.....	208.54
Cartersville, Fuel.....	1070.01
Centrl IA, Supplies.....	52.00
Centrl IA, Shelter.....	14560.00
C Lock, Equip.....	60.00
Central, Tuition.....	2140.00
CenturyLink, Phone.....	7.93
CC Press, Notice.....	24.23
Charles City, Services.....	972.38
CMI, Equip.....	226.65
Cresco PD, Service.....	25.00
B Hinz, Reimb.....	114.00
EBC, Insh.....	370.00
EMS, FCHEPT.....	147158.56
FCSO, Services.....	727.13
FC Treas, Serv Fees.....	236.13
S Funder, Reimb.....	42.18
Gardner, Fees.....	26625.00
GRP Assoc, Dispos.....	17.00
Heartland, Ins.....	1595.00
Heartland, Util.....	45.00
H Adkins, Supplies.....	5781.20
Hy-Vee, Misc.....	8.49
Hy-Vee, Presc.....	138.00
Spring, Service.....	616.92
IA, Training.....	125.00
IA Title, Service.....	613.00
Kahn Tile, Culverts.....	2410.00
L Kristiansen, Reimb.....	535.00
LEAF, Services.....	289.16
Learning Conn, Fees.....	3359.83
J Lovik, Reimb.....	147.06
ML Library, Alloc.....	3431.27
McKesson, Equip.....	30.29
Mid Am, Util.....	331.66
Minnowa, Const.....	273741.55
Motorola, Comm.....	889300.00

N Myers, Reimb.....	76.30
EIA Lawn, Service.....	73.53
N IA Therapy, Eval.....	4290.00
Office Depot, Supplies.....	132.89
Olympus, Service.....	1426.50
Per Mar Security, Services.....	291.36
Pitney Bowes, Supplies.....	467.58
Pollard, Extern.....	102.00
Powerplan, Parts.....	928.74
C Quade, Reimb.....	300.00
Riverton Cem, Maint.....	142.50
Schueht Ace, Hwd.....	11.97
Sious Sales, Uniforms.....	104.90
Solutions, Support.....	7495.08
Special Med, Therapy.....	1500.00
St Joseph, Learning Con.....	819.53
State ME, Autopsy.....	5075.51
Stock Bank, Reimb.....	125.00
D Swartz, Zook.....	47.98
D Swartz, Reimb.....	62.13
T&C, Equip.....	324.00
UMB Cellular, Phones.....	368.09
US Bank, Bonds.....	1585499.37
Verizon, Serv Fee.....	899.86
Viafield, Fuel.....	500.00
Visual Edge, Equip.....	53.31
Wavelength, Service.....	1800.00
L Wulff, Reimb.....	123.66
Bolton-Keim, DD3 Erg Srv.....	2191.50

Updates on various boards/commissions/activities: Keifer attended a meeting regarding a municipal ambulance service, Regional Airport Authority and Communications Tower Committee meetings. Kuhn attended NIACOG, County Social Services Human Resources, and FMC Governance Board meetings.

Jorgensen/Keifer moved to reappoint Pete Jorgensen for a new 5-year term on the Conservation Board and reappoint Maureen Ruane to a new 3-year term on the Veterans Affairs Commission. Motion carried 3-0.

Keifer/Jorgensen moved to approve Res #09-24* Extending a Moratorium Accepting, Approving Applications on Issuing Permits for Utility-Scale Wind Energy Systems, and Battery Storage Installations: On November 20, 2024, the Board approved Resolution #44-23, Instituting a Moratorium to be in effect until May 20, 2024; and, the Board and the Zoning Commission have held several meetings facilitated by NIACOG for the purpose of gaining public input regarding topics and issues to be considered in an amendment to Ordinance No. 2011-2, Zoning Ordinance of Floyd County; and, more time is needed by the Commission to complete their review and make a recommendation to the Board on amendments to the Ordinance; and, said Resolution #44-23 allows for the moratorium to be extended by resolution of the Board until

July 1. Be it resolved by the Board to extend the Moratorium until July 1, 2024. Roll call vote: Ayes-Keifer, Jorgensen, Kuhn; motion carried 3-0.

Jorgensen/Keifer moved to approve Res #10-24* Appropriation Changes: The Board has reviewed departmental budgets for the FY24 budget; and, appropriation limits for several departments are in need of adjustment. Be it resolved by the Board to increase appropriations from 90% to 100% for the following departments for FY24: Auditor, Attorney, REAP, Public Health, Road Clearing, and Debt Service. Roll call vote: Ayes-Jorgensen, Keifer, Kuhn; motion carried 3-0.

Keifer/Jorgensen moved to approve the Notice to the Public — Noxious Weeds Must Be Destroyed. Motion carried 3-0. Jacob Page, County Engineer, and the Board, acting as trustees for Drainage District #4, discussed an area where a drainage tile pool south of Mike Kubik's home. Jorgensen/Keifer moved to authorize Secondary Roads to do drainage repair work in Drainage District #4. Motion carried 3-0.

Page informed the Board of two 28E agreements with the City of Nora Springs, one for gravel road maintenance and one for moving the county shed in the city limits. Jorgensen/Keifer moved to approve a 28E Agreement Concerning Road Maintenance and Snow Removal. Motion carried 3-0. Keifer/Jorgensen moved to approve a 28E Agreement Concerning Mowing at 216 N Seminary Avenue, Nora Springs. Motion carried 3-0.

Jorgensen/Keifer moved to approve Res #11-24* Citizen Convenience Center Closer Fund: Floyd County has applied to the Iowa DNR to operate a sanitary disposal project located within the State of Iowa, and is required to maintain financial assurance for closure care in connection therewith; and IACUE 567 Chapter 106.18(2) requires proof of establishment of a financial assurance instrument for closure costs prior to the issuance or renewal of a Citizen Convenience Center permit; and, Chapter 106.18(5)(b) provides for the “Local Government Dedicated Fund” mechanism to be an acceptable financial assurance instrument, and Floyd County meets the requirements of said paragraph. Be it resolved by the Board to adopt the “Floyd County Citizen Convenience Center Closure Fund” as the financial assurance mechanism for the Floyd County Citizen Convenience Center, to restrict closure cost refunds to match the most recent Closure Cost estimate as signed by a P.E. on behalf of

the Floyd County Citizen Convenience Center, and agree to comply with the closure fund requirements as provided by 567 IAC Chapter 106.18(5)(b). Roll call vote: Ayes-Jorgensen, Keifer, Kuhn; motion carried 3-0.

Page provided an update on Secondary Roads activities including crews working on drive permits, work orders, inventory, spraying, dust control, sign-inventory, and general shop maintenance. The B60 bridge project east of Nuthatch Ave is wrapping and will be opening soon. Rip rap from the City of Floyd project is being hauled to B60 projects. Seeding on the Victory Ave bridge project was just completed. Four railroad tank cars have been delivered and will be installed later this year. Page is working on a SSA grant for safety action plans and will host a workshop on October 14. The County 5-Year Program was approved by the Iowa DOT.

Bernie Solomon, IT Director, provided an update on activities. Projects include looking into phone system due to the current system phasing next year, working with Omnitel on the new communications tower project, assisting the safety coordinator with a new panic alarm system, and discussing with the public health director on transitioning to the county's network. The State is offering, at no charge, YubiKey security keys used for multi-authentication but there will be other costs associated with the county's domain; the county needs to transition to multi-factor authentication and Solomon plans to phase the process in by departments. Last week WIN fiber was cut causing the sheriff's network to go down; Solomon is working on a backup plan. There have also been issues with Lumina's services not permitting wireless calls coming in or going out of our network.

Future agenda items: Crisis Intervention request for office space, setting date/time of Primary Election canvass, and transfer of funds to Conservation, Emergency Management, and Secondary Roads.

Jorgensen Keifer moved to adjourn. Motion carried 3-0.

*This is a summary of the resolution; full text of resolutions may be inspected during normal business hours in the Floyd County Auditor's office and at www.floydcoia.org. ATTEST: Gloria A. Carr Floyd County Auditor Mark A. Kuhn, Chair Floyd County Board of Supervisors

Legal Notice

NOTICE PUBLIC HEARING

The CHARLES CITY AND Redevelopment Authority will hold a public hearing in compliance with the Quality Housing and Work Responsibility Act of 1998. The purpose of the hearing is to allow the public and residents an opportunity to comment on amendments to the 2020-2024 Capital Improvement Plan, ACOP, HOTMAN, Administrative Plan, and Lease changes. The information is available for review at the Housing Office, 205 Greenlees Circle, Charles City, IA 50616. The hours of operation are 8:00 a.m. — 4:30 p.m., M-F. The public hearing will be held at the housing office on June 20th, 2024 at 8:00 am. The public is invited to attend to comment or to submit written comments to the housing office prior to the hearing.

No. 23998
5/31/24

Legal Notice

Invitation to Comment on a Proposed Wireless Telecommunications Facility

Interested persons are invited to comment on the wireless telecommunications modification project proposed near 215 Street in Rockford, Iowa (43°02'44.6" North 92°58'59.2" West) with respect to Environmental Effects. The project will consist of installing a 300' self-support tower (overall height 320.5-feet) within a new fenced compound. The FCC Antenna Structure Registration (ASR, Form 854) FCC Filing Number is A1284417. Environmental Effects — Interested persons may review the application (www.fcc.gov/asr/applications) by entering the filing number. Environmental concerns may be raised by filing a request for Environmental Review (www.fcc.gov/asr/environmentalrequest) and online filings are strongly encouraged. The mailing address to file a paper copy is: FCC Requests for Environmental Review, Attn: Ramon Williams, 4455 12th Street SW, Washington, DC 20554. This notice is provided in accordance with regulations of the Federal Communications Commission, 47 C.F.R. Part 1, Subpart I and Appendices B.

No. 24010
5/31/24

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ORDINANCE NO. 1174

ORDINANCE ADOPTING NEW CHAPTER 94 OF THE CHARLES CITY CODE OF ORDINANCES TO PROVIDE CROSS CONNECTION AND BACK FLOW PREVENTION REGULATIONS. BE IT ENACTED BY THE City Council of the City of Charles City, Iowa: SECTION 1. New Chapter and Sections. The following sections of new Chapter 94 are hereby adopted: 94.01 DEFINITIONS. The following terms are defined for use in the chapters in this Code of Ordinances pertaining to Water Service System:

1. “Approved Backflow Prevention Assembly” means assembly that has been approved by the University of Southern California Foundation for Cross Connection Control and Hydraulic Research (USC) and meets AWWA Standard C511-89 for Reduced Pressure Backflow Prevention and ANSI/AWWA Standard C510-17(R21) for Double-Check Assemblies. The backflow prevention assembly must also be listed by the International Association of Plumbing and Mechanical Officials.

2. “Backflow” means the flow of water or other liquids, mixtures, or substances, under positive or reduced pressure in the distribution pipes of potable water supplied from any source other than its intended source.

3. “Backpressure” means backflow caused by water pressure in a facility that is higher than the pressure of the public drinking water supply to be caused by pumps, boilers, gravity or other sources of pressure.

4. “Backsiphonage” The reverse flow of used, contaminated, or polluted water from plumbing fixture or device into the public drinking water due to reduced pressure. This can be caused by nearby firefighting, water main breaks or repairs.

5. “Double Check Valve Assembly” means a backflow prevention assembly consisting of two independently acting, internally loaded check valves, four properly located test ports and two isolation valves.

11. “Double Check Valve Assembly” means a backflow prevention assembly consisting of two independently acting, internally loaded check valves, four properly located test ports and two isolation valves.

12. “High Hazard” means an actual or potential cross-connection which may create a hazard to public health through the introduction of non-potable or poisonous substances into the public water supply.

13. “Isolation” means a method of backflow prevention in which backflow prevention device is located to correct a cross connection at an in-plant location rather than at a waterservice entrance.

14. “Low Hazard” means a cross-connection which may alter the quality of potable water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use.

15. “Reduced Pressure Principle Assembly” means a backflow prevention assembly consisting of two independently acting, internally loaded check valves, a differential pressure relief valve, four properly located test ports, and two isolation valves.

16. “Superintendent” means the person directly responsible for the municipal watersupply and system as assigned by the City Administrator.

17. “Thermal Expansion” means the volumetric increase of water pressure due to heating resulting in increased pressure in a closed system.

18. USC means the University of Southern California Foundation for Cross Connection Control and Hydraulic Research.

19. “Water Service” means the connection between the public potable water system and a customer's property or building.

20. Water Service Entrance means the point where the water service enters the customer's property; generally considered to be the outlet end of the water meter and always before any unprotected branch.

94.02 PURPOSE. This chapter is intended to accomplish the following:

1. Protect the public potable water supply from potential backflow contamination from unprotected cross connections within a customer's internal plumbing system.

2. Identify all connections that present an actual or potential risk to the public potable water supply and require approved backflow protection at the water service entrance (containment).

3. Maintain records of all installed backflow prevention assemblies and provide notice of annual testing requirements.

4. Enforce compliance of installation and annual testing requirements by terminating customers failing to comply.

94.03 CROSS CONNECTION PROHIBITED.

1. Cross Connections from any well or other source of water to any piping system connected to the city's water system are prohibited. It is the Customer's obligation to ensure all new and existing service lines meet the requirements of state, federal, and local ordinance, including all applicable plumbing codes.

2. All new and existing service lines are subject to the requirements of local and state offlow plumbing codes and are also subject to these specific requirements set forth in this code of ordinances.

94.04 RESPONSIBILITY. The responsibilities of the Customer are the following:

1. Customer shall be responsible for ensuring that no cross connections exist within the property served without an approved backflow prevention assembly for containment.

2. Customer shall prevent actual or potential pollutants and/or contaminants from entering the water system through backflow.

3. All water-using devices shall be designed to prevent backflow to the water system.

4. Where harmful contaminants or pollutants are used with any device or process connected to the water system, customer must install and maintain an approved backflow prevention assembly for containment at the water service entrance designed to prevent backflow to the water system. If lawn irrigation is the only cross connection within a property, an approved reduced pressure principle assembly may be installed on the irrigation connection in lieu of installation at the meter. This will be categorized as containment for the purposes of enforcement.

6. All commercial, multi-tenant properties served by one water meter are deemed to have potential for cross connections to non-potable or hazardous substances as the City does not have control of tenants changing in this type of facility.

5. All permanently installed underground irrigation systems shall contain an approved backflow prevention assembly for containment at the water service entrance designed to prevent backflow to the water system.

94.05 ADMINISTRATION. The provisions of this section shall be administered according to the following:

1. For New Water Service.

A. An Approved Backflow Prevention Assembly for Containment shall be installed at all domestic water service entrances to all newly constructed or remodeled commercial buildings.

B. For the purposes of this ordinance, any upgrade to an existing service line is deemed a new service.

C. Before the water service is turned on for use, the Superintendent (or their designee) shall inspect the installation of the backflow prevention assembly. The City may withhold approval of new water service to a new service line until all backflow protection requirements are met.

2. Existing Service Connections.

A. Customers whose premises are not classified as single-family residential by the Building Official shall be inspected by the City to determine the type of water usage and degree of hazard to the water system. To enter any property, the City must have either the consent of the customer or a warrant from a court of appropriate jurisdiction. Upon completion of the inspection, the City will determine if containment backflow protection is required.

B. Inspections under this ordinance may be performed by the Superintendent, Building Inspector, or other designee.

C. The City may evaluate existing service connections using a Water Usage Inventory completed by the customer and/or physical inspection by the City to determine the type of water usage in the facility.

D. If an actual or potential Cross Connection to non-potable or hazardous substances exists, is created, or is identified by the City, installation of an approved reduced pressure principle assembly at the service entrance must be completed within 30 days from notification to avoid termination. This shall be ordered by written notice through U.S. mail, email or hand delivery. (the “Installation Notice”).

E. If a customer fails to provide access upon request, a high hazard condition shall be deemed to exist and an approved backflow prevention assembly for containment shall be completed within 30 days from the Installation Notice to avoid termination.

F. The customer shall install the required backflow prevention assembly within thirty (30) days of the Installation Notice. The City reserves the right to extend or reduce the 30-day timeframe if they deem necessary depending on the degree of hazard.

G. The installation of a backflow prevention assembly for containment will be considered complete when a passing backflow test form is submitted using the method specified by the City and a confirmation inspection is completed by the City.

H. Thermal expansion must be addressed whenever a containment backflow prevention assembly is installed.

I. If the Customer fails to complete installation pursuant to an Installation Notice, then the water service at the affected service line shall be terminated until such time as the required installation is complete and a passing backflow test form is submitted to the City.

J. If during an on-premise investigation the City determines that there is

a high hazard cross connection, the City reserves the right to terminate the water service until an approved backflow prevention assembly has been installed and tested. The City has the authority to determine a schedule of compliance for the customer.

K. The responsibility to comply with all of the requirements of state and local codes in addition to this ordinance are solely the Customer's and not conditioned upon whether the City has notified the Customer that they have a high hazard cross-connection and that they shall install backflow-prevention assemblies for containment.

94.06 PRIVATE WELLS. Private wells and any piping served by a private well shall be physically disconnected from any plumbing pipes and fixtures that will be connected to the City distribution system. If a well will be in service, no well equipment or piping shall be allowed to remain in the building even if it is physically separated or isolated with a valve unless an approved reduced pressure principle assembly is installed at water service entrance.

94.07 INSTALLATION OF BACKFLOW PREVENTION ASSEMBLIES FOR CONTAINMENT. Installation of backflow prevention assemblies for containment must comply with USC guidelines, all applicable state and local codes in addition to the manufacturers recommendations. General requirements for the installation of backflow prevention assemblies include the following:

1. Installed in horizontal plumbing unless approved for vertical installation by USC.

2. Installed immediately following the water meter.

3. Installed upstream of branch piping.

4. Installed near an appropriately sized drain.

5. Installed to be protected from freezing.

6. Installed to be protected from thermal expansion if hot water is used within the water system.

7. Installed not to create a safety hazard (e.g. above an electrical panel).

8. Installed above grade and be accessible for testing; not less than 12” from the bottom of the assembly to the floor or grade, and not more than 36” high.

9. No device or assembly for containment shall be removed, relocated or substituted without approval of the city.

94.08 TESTING & REPAIR. General instructions for the testing and repair of backflow prevention assemblies are as follows:

1. Tests and repairs must be performed by a backflow prevention assembly technician registered with the Iowa Department of Public Health.

2. The costs of all testing shall be paid by the customer.

3. The backflow prevention assemblies shall be tested and inspected according to the following:

A. A backflow prevention device must be tested immediately following installation.

B. A backflow prevention device must be tested annually by the testing date specified by the City. (“Annual Backflow Test Date”).

C. A backflow prevention assembly that is out of operation for more than three (3) months, must be tested before it is put back into operation.

D. A backflow prevention assembly that fails a test, must be repaired or replaced and then retested.

E. Repairs of backflow prevention assemblies shall be according to manufacturers specifications and requirements.

F. A backflow prevention assembly must be tested any time the Water Superintendent requires that a test be done.

4. A report of the annual test shall be submitted by the tester to the Customer and the City using the method specified by the City. The required test report shall be past due if the test is not performed and submitted using the method specified by the City by the Annual Backflow Test Date.

94.09 CUSTOMER NON-COMPLIANCE. The water service may be discontinued in the case of non-compliance with this ordinance. Non-compliance includes, but is not limited to, refusal to allow the City access to property to inspect cross connections, removal of a required backflow prevention assembly, failure to install a required backflow prevention assembly, and failure to properly test or properly repair a backflow prevention assembly when warranted by the City. The backflow protection requirements of this ordinance shall be administered by the City Water Superintendent. The Federal Safe Drinking Water Act of 1974 and the statutes of the Iowa Administrative Code shall be recognized. The water purveyor has the primary responsibility for preventing water from unapproved sources or any other substances, from entering the public potable water system. SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. SECTION 3. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof. SECTION 4. When Effective. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law. Passed by the City Council on this ___ 20th day of ___ May, 2024. Approved this ___ 20th day of ___ May, 2024.

Dean Andrews, Mayor ATTEST: Trudy O'Donnell, City Clerk

No. 24023
5/31/24