



Prairie Island Indian Community Cross-Connection Control Ordinance¹

Table of Contents

Section 1.	Short Title.....	1
Section 2.	Statement of Purpose, Findings, and Authority.....	1
Section 3.	Definitions.....	1
Section 4.	Applicability.....	2
Section 5.	Cross-Connection Prohibited.....	2
Section 6.	Backflow Prevention.....	2
Section 7.	Maintenance of Backflow Prevention Devices.....	3
Section 8.	Testing of Backflow Prevention Devices.....	3
Section 9.	Records.....	3
Section 10.	Miscellaneous Provisions.....	3

¹ Note of Adoption: The Community Council adopted this Ordinance on December 11, 2024, by Resolution Number 24-12-11-295.

Section 1. Short Title. This Ordinance shall be known and may be cited as the Prairie Island Indian Community Cross-Connection Control Ordinance.

Section 2. Statement of Purpose, Findings, and Authority.

- a. Purpose. The purpose of this Ordinance is to provide safe water for the Prairie Island Indian Community Reservation by implementing a Cross-Connection control program for the Potable Municipal Water Supply.
- b. Findings. The Community Council finds that it is in the best interests of the Community to regulate the Potable Municipal Water Supply system on the Prairie Island Indian Community Reservation to ensure the health of the Potable Municipal Water Supply and all those consuming the water.
- c. Authority. This Ordinance is enacted by the Community Council as the governing body of the Community pursuant to the inherent authority of the Community to regulate activities and govern conduct within its jurisdiction and to protect the health, safety, and welfare of persons within its jurisdiction.

Section 3. Definitions.

- a. “Backflow Prevention Device(s)” means a device approved to meet or exceed AWWA Standard C511-89 for Reduced Pressure Principal Assemblies and ANSI/AWWA Standard C510-17(R21) for Double Check Assemblies.
- b. “Backflow Prevention Rebuilder” means a person who holds the current ASSE 5130 and 5110 certification of backflow rebuilder and a current plumbing license, to perform the installation, maintenance, testing, repair, replacement, or rebuilding of backflow prevention assemblies.
- c. “Backflow Prevention Tester” means a person who holds the current ASSE 5110 certification of backflow prevention tester, limited to testing backflow prevention assemblies, for which a plumber license is not required.
- d. “Community” means the Prairie Island Indian Community in the State of Minnesota, a federally recognized Indian Tribe.
- e. “Community Council” means the constitutionally authorized governing body of the Community, also referred to as the “Tribal Council.”
- f. “Cross-Connection(s)” means any actual or potential connection or arrangement, physical or otherwise, between a Potable Municipal Water System and any plumbing fixture or tank, receptacle, equipment, or device, through which it is possible for non-potable, used, unclean, polluted, contaminated water, or other substance, to enter any part of such Potable Municipal Water System under any condition.
- g. “Customer/Owner” means the owner, operator, or occupant of a building or a property which has a water service from the Community’s Potable Municipal Water Supply.

- h. “Minnesota Department of Labor and Industry” means the Department of the State of Minnesota which creates and enforces licensure and statutes to ensure oversight of safe and uniform work.
- i. “Potable Municipal Water Supply” means public waterway systems to provide users with tap water, including municipal water plants and water storage facilities such as water tanks.
- j. “Prairie Island Indian Community Reservation” or “Reservation” means all lands and waters within the exterior boundaries of the Prairie Island Indian Community Reservation, notwithstanding the issuance of any patent, easement, or rights-of-way running through the Reservation, ceded lands, and such other lands without such boundaries as may be added by purchase, exchange, transfer, gift, or grant, or which are under the jurisdiction of the Community.
- k. “State of Minnesota Plumbing Code” means the regulations adopted by the State of Minnesota for the design and installation of plumbing systems statewide for all buildings including new, additions, alterations, repair, and replacement.
- l. “Utilities Manager” means the Utilities Manager of the Water/Wastewater Department of the Community.

Section 4. Applicability. This Ordinance applies to any individual and entity within the Reservation that is connected and receives water from the Community’s Potable Municipal Water Supply, including businesses owned and operated by the Community.

Section 5. Cross-Connection Prohibited.

- a. Cross-Connections between the Potable Municipal Water Supply and other systems or equipment are prohibited.
- b. Exceptions may be approved by the Utilities Manager if suitable Backflow Prevention Devices are installed, tested, and maintained to ensure proper operation on a continuing basis.

Section 6. Backflow Prevention.

- a. A Backflow Prevention Device is to be owned, tested, and maintained in working condition by the Customer/Owner of the premises being served.
- b. Installation, maintenance, and testing of Backflow Prevention Devices shall be according to the State of Minnesota Plumbing Code.
- c. A person who is recognized by the Minnesota Department of Labor and Industry as a Backflow Prevention Tester or Backflow Prevention Rebuilder is considered qualified by the Community to test Backflow Prevention Devices and to certify the Backflow Prevention Devices to be functional.
- d. Appendix A to this Ordinance provides a non-exhaustive list of examples for which a Backflow Prevention Device is required. The Customer/Owner is responsible for contacting the Utilities Manager to confirm whether a Backflow Prevention Device is required.

Section 7. Maintenance of Backflow Prevention Devices. All maintenance to a Backflow Prevention Device must be performed by a Backflow Prevention Rebuilder certified by the State of Minnesota.

Section 8. Testing of Backflow Prevention Devices.

- a. Testing of Backflow Prevention Devices must be performed annually by a Backflow Prevention Tester certified by the State of Minnesota.
- b. Results of the testing shall be furnished no later than October 1 each year to the Utilities Manager at:

Prairie Island Indian Community
Attn: Utilities Manager
5636 Sturgeon Lake Road
Welch, MN 55089

- c. Penalties for failure to provide the results of testing required by this Section may include but are not limited to, discontinued water service.

Section 9. Records. The Utilities Manager shall maintain a record of all Cross-Connections to the Community's Potable Municipal Water Supply, all inquiries to the Utilities Manager regarding a Backflow Prevention Device, including whether a Backflow Prevention Device is required, and the results of all testing furnished to the Community pursuant to Section 8 of this Ordinance. Records required by this Ordinance shall be maintained consistent with the record retention requirements applicable to the other records of the Utilities Manager.

Section 10. Miscellaneous Provisions.

- a. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance, or the application of the provision to other persons or circumstances is not affected.
- b. [reserved].

Appendix A
Prairie Island Indian Community
Cross-Connection Control Ordinance

As provided in Section 6(d) of the Ordinance, below is a non-exhaustive list of examples for which a Backflow Prevention Device is required:

- a. Boilers and/or Chillers
- b. Breweries
- c. Car Wash
- d. Chemical Applicators
- e. Chemical Mixing
- f. Convenience Stores
- g. Decorative Ponds
- h. Food Manufacturing
- i. Golf Courses
- j. Hot Tubs
- k. In Ground Sprinkler System
- l. Industrial Customers
- m. Livestock Operations
- n. Medical Clinics
- o. Pools
- p. Restaurants
- q. Soda Fountain Dispensers

If there is any question about whether a Backflow Prevention Device is required for a location, system, and/or action, contact the Utilities Manager of the Community.