



## Penalties for Property Owners Who Do Not Test Their Backflow Assembly Each Year

Property owners must have each backflow prevention assembly that is installed on their property tested upon installation and annually thereafter. Each assembly must also be tested if it is relocated, reoriented, or repaired, or if the owner is notified to do so by the San Francisco Public Utilities Commission (SFPUC).

### How and when am I notified of my responsibility to test a Backflow Prevention Assembly on my property?

- All notices go to the property owner of record in the SFPUC's Customer Service database. It is the property owner's responsibility to ensure that contact information is updated by Customer Service by calling 415-551-3000.
- Tests are due at the end of the enforcement month. Property owners may change their enforcement month by calling the Cross Connection Program.
- The month before testing is due, you will receive a notice reminding you that the annual testing is due at the following month and providing instructions for locating a certified tester.

### What happens if a property owner doesn't test the backflow prevention assembly when required?

If you do not have your device tested by the end of your enforcement month:

1. you will receive a second notice reminding you to complete the testing;
2. you will receive a Final Notice to Provide Proof of Testing (Final Notice which will give a Final Due Date and list the fines that you may be responsible for if you do not get your device tested by the Final Due Date;
3. if proof of testing is not received by the Final Due Date, you will receive an Administrative Citation for up to \$1,000 per day, which may be counted from the end of the original Enforcement Month;
4. even if you pay a fine, you must still get your device tested or you could have your water service shutoff or restricted.

### Violation of Any Other Provision of SFHC 12A

Upon written notification by SFPUC or SFDPH, property owners must eliminate any unprotected cross-connection within seven calendar days of receipt of the notification, unless an alternate deadline for remediation is specified. Noncompliant property owners are subject to the provisions of Chapter 100 of the Administrative Code, as described above, including fines of up to \$1,000 per violation per day.

### How to pay a fine

- Notice of fines are made by delivery of an Administrative Citation.
- Fines may be paid by check to the SFPUC Customer Service Bureau.

- If you do not pay the fine by check within 30 days, it will be posted to the water bill for the property. If the water bill is not under the property owner's name, then the fines will be posted to a separate account because these fines are the responsibility of the property owner.

### **Due Process**

The property owner may contest or dispute any fine for noncompliance with Article 12A. If you do not agree with the fines imposed by the Administrative Citation:

- you should first schedule a Voluntary Conference with the SFDPH Senior Inspector in charge of cross-connection control to provide additional information about the case;
- if you are not satisfied with the results of the Voluntary Conference, the case may be appealed at an Administrative Hearing with the Director of Public Health;
- at the Director's Hearing, the Hearing Officer accepts information from DPH, PUC, the property owner and any other parties with relevant information and within 30 days renders a decision to uphold, waive, or modify the penalties in the Administrative Citation;
- if you do not agree with the Director's Hearing decision, you may appeal to the San Francisco Superior Court.

### **More Information**

Additional information about cross-connection control requirements is available at [www.sfwater.org/backflow](http://www.sfwater.org/backflow), or you can call the Cross-Connection Control Program at (650) 652-3199 between 8 am and 5 pm. For more information about SFHC 12A, contact the SFDPH Senior Inspector in charge of cross-connection control at (415) 252-3943.