

MAYOR AND COUNCIL

PROPOSED COUNCIL RESOLUTION NO. 2024-12

A RESOLUTION PLACING A ONE-YEAR MORATORIUM ON ANY PROGRAM REQUIRING BACKFLOW PREVENTERS

WHEREAS, in January 2021, the Delaware Department of Public Health adopted regulations encouraging the implementation of backflow preventers, but the requirements were not mandatory, except for those declared to have high-risk of backflow; and

WHEREAS, in June 2024, the majority of the Delaware House of Representatives voted to amend the City of Dover Charter to repeal the City of Dover Department of Water & Wastewater requirements for backflow preventers, sending a message to the City of Dover to review the requirements; and

WHEREAS, the Kent County Association of Realtors has presented cases of small businesses with no real risk of backflow being asked to retrofit at the cost of thousands of dollars with no benefit to the environment; and

WHEREAS, these requirements will have a contradictory impact on the City of Dover's adopted goals of reclaiming empty storefronts and the building for economic expansion; and

WHEREAS, there will be ongoing costs to the City of Dover for inspections that will seriously impact the city budget in the long run; and

WHEREAS, there has not been a proper review of the new requirements by the City of Dover City Council.

NOW THEREFORE BE IT RESOLVED:

The City Council does hereby enact a moratorium for one year on any program requiring backflow preventers within the City of Dover, Delaware, excepting those deemed moderate or high risk by state regulations explicitly requiring backflow regulators, subject to the following stipulations and conditions:

1. This moratorium shall become effective immediately upon adoption by the City Council of the City of Dover, Delaware; and
2. All current and future enforcement, notifications, and requirements in process regarding backflow preventers are suspended for one year, and any penalties shall neither be assessed in any pending cases except for those deemed high risk

according to state and local regulations or auxiliary water systems; and

3. Before any program can be implemented after this moratorium, it must be presented to the Utility Committee and passed by the City Council of the City of Dover; and
4. The City of Dover requests staff to work with members of the General Assembly to permanently address the regulations that led to the City of Dover’s regulations.

ADOPTED: *

ROBIN R. CHRISTIANSEN
MAYOR

DAVID L. ANDERSON
COUNCIL PRESIDENT

Actions History

07/23/2024 – Introduction – Council Committee of the Whole/Utility Committee