

CROSS CONNECTION CONTROL ORDINANCE
NO. 08-002

JAMESTOWN CHARTER TOWNSHIP
COUNTY OF OTTAWA, MICHIGAN

AN ORDINANCE OF JAMESTOWN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN TO CONTROL CROSS CONNECTIONS IN THE PUBLIC WATER SUPPLY SYSTEM; TO PREVENT ENTRY IN THE PUBLIC WATER SUPPLY SYSTEM OF WATER OF QUESTIONABLE QUALITY, WASTES OR OTHER CONTAMINANTS; TO AUTHORIZE THE WATER DEPARTMENT TO DEVELOP AND IMPLEMENT A COMPREHENSIVE PROGRAM FOR THE ELIMINATION AND PREVENTION OF CROSS CONNECTIONS; TO PROVIDE FOR INSPECTIONS OF PUBLIC OR PRIVATE PROPERTIES TO ASCERTAIN WHETHER CROSS CONNECTIONS ARE PRESENT AND ALLOW PRECAUTIONARY MEASURES TO BE TAKEN FOR PROTECTION OF PUBLIC HEALTH; TO PROVIDE FOR PUNISHMENT OF VIOLATIONS AND TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH.

JAMESTOWN CHARTER TOWNSHIP ORDAINS:

SECTION 1. DEFINITIONS

Backflow means water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

Cross Connection means a connection or arrangement of piping or appurtenances through which backflow could occur.

Department means the Jamestown Charter Township water department.

Public Water Supply System means a water system operated by a municipality which furnishes water to the public for household or drinking purposes.

Safe Air Gap means the minimum distance a water inlet or opening above the maximum high water level or overflow rim in a fixture, devise or container to which public water is furnished

which shall be at least two(2) times the inside diameter of the water inlet pipe, but shall not be less than one (1) inch and not more than twelve (12) inches.

Secondary Water Supply means any water supply that is not a public water supply and including but not limited to a water supply from ground or surface sources not meeting the requirements of Act 399 of Public Acts of 1976 (Michigan Safe Drinking Water Act), as amended, being sections 325.1001 to 325.1023 of the Michigan Compiled Laws, or water from a public water supply system which in any way has been treated, processed or exposed to any possible contaminant or stored in an other than approved storage facility or a private water storage tank supplied from a public water supply system unless it is designed and approved for potable water usage. Any and all private water storage tanks supplied from a public water supply system is included and must meet guidelines for approved potable water usage.

Submerged Inlet means a water pipe or extension thereto from a public water supply system terminating in a tank, vessel, fixture or appliance which may contain water of waste, or other contaminant and which is unprotected against backflow.

Water Utility means a governmental unit, municipal or private corporation, association, partnership, or individual engaged in furnishing water to the public for household or drinking purposes.

SECTION 2. CROSS CONNECTIONS WITH PUBLIC WATER SUPPLY SYSTEM

Section 02-98. (a) A connection with a public water supply system shall comply with existing laws, ordinances, codes and rules, including:

- (1) Act 266 of the Public Acts of 1929, as amended, being sections 338.901 to 338.917 of the Michigan Compiled Laws (State of Michigan Code).
- (2) *Jamestown Township*, including this ordinance and all other sections of the *Jamestown Township* Code pertaining to plumbing, water supply and sewage disposal.
- (3) *Jamestown Township* adopts by reference Act 399 of the Public Acts of 1976, as amended, and the Administrative Rules, Michigan Safe Drinking Water Act.
- (4) *Jamestown Township* adopts by reference the Cross Connection Rules Manual of the Michigan Department of Environmental Quality, Drinking Water and Radiological Protection Division, being sections R325.11401 to R325.11407 of the state administrative code.
- (5) *Jamestown Township* adopts by reference the BOCA National Plumbing Code, and the State of Michigan, Department of Labor, Part 7. Plumbing Code, Amendments and Additions to the Basic Plumbing Code.

(b) *Connections.* A connection with a public water supply system shall comply with all state laws, local ordinances, state and local rules, including Act 399 of Public Acts of 1976, as amended, being sections 325.1001 to 325.1023 of the Michigan Compiled Laws and Act 266 of Public Acts of 1929, as amended, being sections 338.901 to 338.917 of the Michigan Compiled Laws and R325.11401 to R325.11407 of the Michigan Administrative Code. A cross connection shall not be made, or be permitted to be made to a public water supply system.

(c) *Inspections.* The water utility shall develop a program for the elimination and prevention of cross connections. As part of this program, the water utility or its designated agent shall cause inspections and re-inspections to be made for cross connections to the public water supply system. The frequency of inspections and re-inspections shall be based on potential health hazards, as determined by the water utility, or its designated agent, to the public water supply system through possible cross connections.

(d) *Access to Premises:* A duly authorized representative(s) of *Jamestown Township* may access the consumer's premises at all reasonable hours for the purposes of reading meters, inspections, making repairs, or installing or removing any or all department appurtenances used for rendering service to the consumer. On request, the consumer shall furnish the representative(s) of *Jamestown Township* any pertinent information regarding matters concerning water service to the consumer. The refusal to supply such information or refusal of access, when requested, shall be deemed a violation of this Ordinance.

(e) *Discontinuance of Service:* The water utility is authorized to disconnect water service to the consumer, after reasonable notice, for violation of any of the rules and regulations of the department or the provisions of this Ordinance, or for non-payment of all or part of a water bill, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system from cross connections or otherwise.

(f) *Protective Devices.* A consumer shall obtain written approval by *Jamestown Township* of any proposed backflow prevention corrective action or protective device before use or installation. All testable backflow prevention devices shall be tested upon installation. The water utility may require the filing of a backflow device test report, on a periodic basis or frequency established by the department, for any backflow prevention devices used by a consumer. All testing and maintenance of consumer's backflow prevention devices shall be at the consumer's own expense and be performed by a person approved by *Jamestown Township*. The individual testing the device shall certify that the results of his or her testing are accurate. Such certification may be required to be part of the backflow prevention device test reports which may also be required to be filed with the City. *Jamestown Township* shall review backflow device test reports filed with the Township, but may refuse to review any backflow device test report until the review fee

required by *Jamestown Township*, if any, has been paid. Reports for which a required review fee, if any, has not been paid and which have not been reviewed, will be treated for purposes of this Ordinance in the same manner as failure to file a report. Failure to file a report required by the department may be deemed evidence of a cross connection.

(g) *Cross Connection Program Fees.* *Jamestown Township* may by resolution establish fees to be charged to consumers that are reasonably related to the services provided the consumer by *Jamestown Township* in the operation of the program for the elimination and prevention of cross connections. Any such fees may be added to, and for the purposes of discontinuance of service, shall be considered part of a consumer's water bill.

(h) *Cross Connection Program Enforcement.* *Jamestown Township* is hereby authorized and directed to discontinue water service to any consumer after reasonable notice to any consumer wherein any connection in violation of this ordinance exists and to take such precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection(s) has been eliminated in accordance with the provisions of this ordinance and the cross connection control program. Any person or customer found to be in non-compliance or violating any of the provisions of this ordinance or any written order of *Jamestown Township*, after the compliance date given shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50.00 and not more than \$500.00 per violation for each day the violation exists. Each day upon which a violation of the provisions of this ordinance shall occur shall be deemed a separate and additional violation for the purpose of this ordinance.

(i) *Protection of Potable Water and Warning Requirements.* Any water outlet which could be used for potable or domestic purposes and which is not supplied by a public water supply system must be labeled in a conspicuous manner as "water unsafe for drinking".

(j) *Piping Identification.* When a secondary water source is used in addition to a public water supply system, exposed public water supply piping shall be identified by a blue color or tags and all other exposed piping shall be distinguished from the public water supply piping by a different contrasting color or tags and so maintained that the public water supply piping and secondary water supply piping can be traced readily in their entirety. If such piping is so installed that it is impossible to trace it in its entirety, it will be necessary to protect the public water supply system at the service connection in a manner acceptable to the Michigan Department of Environmental Quality.

SECTION 3. SEVERABILITY.

This Ordinance and each of the various parts, sections, subsections, sentences, phrases and clauses hereof are hereby declared to be severable. If any part, section, subsection, sentence,

phrase or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 4. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.

Any and all Ordinances of *Jamestown Township* or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provision of the within Ordinance, are hereby expressly repealed.

SECTION 5. RATIFICATION.

All other provisions of the Code of Ordinances of *Jamestown Township*, Michigan except as herein modified or amended, are hereby expressly ratified and affirmed.

SECTION 6. PUBLICATION.

This Ordinance shall be published in accordance with the terms, provisions and requirements of the Charter of *Jamestown Township*, Michigan, and in accordance with and to the extent required by the statues of the State of Michigan.

SECTION 7. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall take effect on the 2nd of April, 2008 in accordance with the provisions and requirements of the *Jamestown Township*. The Township Clerk is hereby directed to publish this Ordinance within twenty-one (21) days after the date of adoption

ORDINANCE IS HEREBY DECLARED ADOPTED

Ruth Bruce
Name

Township Clerk
Jamestown Township, Michigan

CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the Township board of *Jamestown Township*, Ottawa County, State of Michigan, at a regular meeting held on the 17th day of March, 2008, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Board Members Present: BROUWER, MIEDEMA, JENSEN, PRUIS, RAU, SHAARDA, SIPE


Board Members Absent: NONE

It was moved by Board Member SHAARDA and supported by Board Member SIPE to adopt the Ordinance.

Board Members Voting Yes: BROUWER, MIEDEMA, JENSEN, PRUIS, RAU, SHAARDA AND SIPE

Board Members Voting No: NONE

This Ordinance was declared adopted by the Township Supervisor and has been recorded in the Ordinance Book.



Township Clerk
Jamestown Township, Michigan

INTRODUCED:	DATE	Februrary 18, 2008
ADOPTED:	DATE	Mardh 17, 2008
PUBLISHED:	DATE	March 25, 2008
EFFECTIVE:	DATE	April 2, 2008