

VILLAGE OF EMPIRE
ORDINANCE NO. 113
WATER SUPPLY CROSS CONNECTION

AN ORDINANCE REGULATING CROSS CONNECTIONS WITH THE PUBLIC WATER SUPPLY SYSTEM, I.E. A CONNECTION OR ARRANGEMENT OF PIPING OR APPURTENANCES THROUGH WHICH WATER OF QUESTIONABLE QUALITY, WASTES OR OTHER CONTAMINANTS CAN ENTER THE PUBLIC WATER SUPPLY SYSTEM.

THE VILLAGE OF EMPIRE ORDAINS:

Section 1. Purpose

That the Village adopts by reference the Water Supply Cross Connection Rules of the Michigan of Environment, Great Lakes, and Energy being R325.11401 to R325.11407 of the Michigan Administrative Code.

Section 2. Inspection

- a.) That it shall be the duty of the Village of Empire Water Department to cause inspections to be made of all properties serviced by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Village of Empire Water Department and as approved by the Michigan Department of Environment, Great Lakes, and Energy.
- b.) That the representative of the Village of Empire Water Department shall have the right to enter at any reasonable time any property serviced by a connection to the public water supply system of the Village of Empire for the purpose of inspecting the piping system or systems thereof for cross connections. On request the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested shall be deemed evidence of the presence of cross connection.

Section 3. Disconnection of Service

That the Village of Empire is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this Ordinance exists and to take such other immediate precautionary measures deemed necessary to eliminate any danger or 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 compliance with the provisions of this Ordinance.

Section 4. Testing

That all testable backflow prevention assemblies shall be tested at the time of installation or relocation and after any repair. Subsequent testing of devices shall be conducted at a time interval specified by the Village of Empire and in accordance with Michigan Department of Environment, Great Lakes, and Energy requirements. Only individuals that hold a valid ASSE Standard 5110 certification shall perform such testing. Individual(s) performing assembly testing shall certify the results of his/her testing and provide a copy to the Village of Empire.

Section 5. Water Supply Label

That the potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this Ordinance, by the State and by local plumbing code. Any water outlet which could be used for potable or domestic purposes, and which is not supplied by the potable system must be labeled in a conspicuous manner as:

**WATER UNSAFE
FOR DRINKING**

Section 6.

That this ordinance does not supersede the state and local plumbing code but is supplementary to them.

Section 7. Penalty/Civil Infraction

Any person who violates this Ordinance shall be responsible for a municipal civil infraction, as defined in the Village of Empire's Municipal Civil Infraction Ordinance #107, Section 5.

Section 8. Repeal of Prior Ordinances

All prior Ordinances are deemed rescinded.

Section 9. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph, or section of this Ordinance be

found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this Ordinance.

Section 10. Effective Date.

This Ordinance shall become effective upon twenty (20) days after publication in accordance with law.

Section 11. Adoption.

This Ordinance was duly adopted by the Village of Empire Council at its regular meeting called and held on the 22nd day of March 2022.

Section 12. Publication.

The Village Clerk shall cause this Ordinance or summary of this Ordinance to be published in a newspaper of general circulation within Village of Empire within fifteen (15) days after adoption.



Daniel Davis, President, Village of Empire



Derith Smith, Clerk, Village of Empire

Adoption date: 03/22/2022
Publication date: 03/25/2022
Effective date: 04/11/2022

CERTIFICATION

I, Derith Smith, the Clerk for Village of Empire, Leelanau County, Michigan, do hereby certify that the foregoing is a true and complete copy of this Ordinance adopted by the Village of Empire Council at a regular meeting held on March 22, 2022. The following members of the Village of Empire Council were present at the meeting: Bacon, Barr, Chase, Davis, Dye, Palmer, and Rademacher.

The Ordinance was adopted by the Village of Empire Council with 7 members of the Council voting in favor (Bacon, Barr, Chase, Davis, Dye, Palmer, and Rademacher) and 0 voting against. A copy of the Ordinance or a summary thereof was published in the Traverse City Record Eagle on March 25, 2022.

A handwritten signature in cursive script that reads "Derith Smith". The signature is written in black ink and is positioned above a horizontal line.

Derith Smith, Clerk, Village of Empire