

## ORDINANCE NO. 23

### CROSS CONNECTION ORDINANCE

#### Village of Concord Jackson County

*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 questionably quality, wastes or other contaminants can enter the public water supply system.*

#### **THE VILLAGE OF CONCORD, JACKSON COUNTY, MICHIGAN, ORDAINS:**

##### **Section 1. Adoption of Cross Connection Rules**

The Village of Concord adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Public Health being R 325.11401 to R 325.11407 of the Michigan Administrative Code.

##### **Section 2. Duty to Inspect**

It shall be the duty of the Village of Concord to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and re-inspection based on potential health hazards involved shall be as established by the Concord Municipal Water Works and as approved by the Michigan Department of Environment, Great Lakes, and Energy.

##### **Section 3. Entry onto Property for Inspections**

The representative of the Village of Concord shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of Village of Concord to inspect the piping system or systems 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 to furnish such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

##### **Section 4. Discontinuance of Service**

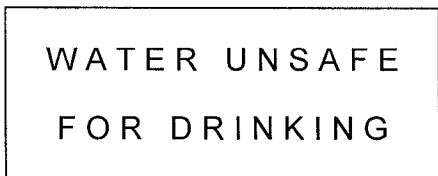
After reasonable notice, the Village of Concord Water Dept. is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this Ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this Ordinance.

**Section 5. Backflow Prevention**

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 Concord and in accordance with the Michigan Department of Environment, Great Lakes, and Energy requirements. Only individuals that hold a valid Michigan plumbing license and have successfully passed and approved backflow testing class shall perform such testing. Each tester shall also be approved by the Village of Concord. Individual(s) performing assembly testing shall certify the results of their testing.

**Section 6. Potable Water**

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 and by the state and Village 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:



**Section 7. State Plumbing Code**

This Ordinance does not supersede the state plumbing code but is supplementary to it.

**Section 8. Violations, Penalty and Nuisance.**

8.1. Any person violating any provision of this Ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed in fines as follows:

- A. first violation \$100.
- B. second violation within a 4-year period \$125.
- C. third violation within a 4-year period \$250.
- D. fourth or subsequent violation within a 4-year period \$400.

plus, the costs of prosecution.

8.2. In addition to the foregoing, any violation of this Ordinance shall be deemed a nuisance per se, permitting the Village Council, its officers, agents or any private citizen to take such action in any Court of competent jurisdiction to cause the abatement of such nuisance, including injunctive relief.

**Section 9. Severability.**

The several sections of this ordinance shall be deemed severable, and should any section, clause,

or provision thereof be declared unconstitutional or contrary to the law of the State of Michigan, and therefore voided by any court of competent jurisdiction, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part or section so declared to be unconstitutional or invalid.

**Section 10. Repealer**

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

**Section 11. Publication**

The Village Clerk shall publish this ordinance in the manner prescribed by law.

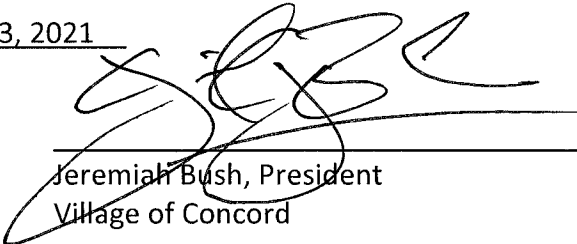
**Section 12. Effective Date**

This ordinance shall be effective after legal publication.

**SECTION 10. EFFECTIVE DATE.**


YEAS: J. Bush, J. Jackson, T. Norris, A. Meeks, M. Lovitt, K. George  
NAYS: None  
ABSENT/ ABSTAIN: T. Casey

ORDINANCE DECLARED ADOPTED ON March 23, 2021

  
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Jeremiah Bush, President  
Village of Concord

**CERTIFICATE OF ADOPTION AND PUBLICATION**

I, Judy Lefere, the duly appointed Clerk of the Village of Concord certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Village Council of the Village of Concord on March 23, 2021 and published in the Salesman, a newspaper circulated in the Village of Concord on April 11, 2021.

  
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Judy Lefere, Clerk  
Village of Concord