

**CITY OF CLAWSON
OAKLAND COUNTY, MICHIGAN
ORDINANCE NO. 757**

**AN ORDINANCE TO AMEND THE CITY OF CLAWSON CODE OF
ORDINANCES CHAPTER 82 UTILITIES, ARTICLE III WATER SYSTEM,
SECTION 82-84 REGULATIONS OF CROSS CONNECTIONS, TO UPDATE
LANGUAGE, FORMATTING AND TO ADD A NEW SECTION E
BACKFLOW TESTING**

NOW THEREFORE THE CITY OF CLAWSON ORDAINS:

Article III – WATER SYSTEM Section 82-84. Regulations of cross connections of the Clawson Code of Ordinance shall be read as follows:

Sec. 82-84. Regulation of cross connections.

(a) *Adoption of code.* The Water Supply Cross Connection Rules of the Michigan Department of Environment, Great Lakes and Energy, being R 325.11401 to R 325.11407 of the Michigan Administrative Code are adopted by this reference thereto as an ordinance of the city.

(b) *Duties of the building department.* It shall be the duty of the building department to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply are deemed possible. The frequency of inspections and re-inspections based on the potential health hazards involved shall be as established by the building department and as approved by the Michigan Department of Environment, Great Lakes and Energy.

(c) *Right of entry.* Representatives of the building department shall have the right to enter at any reasonable time in any property served by a connection to the public water supply system of the city for the purpose of inspecting the piping system 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 on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connection. Nothing in this section shall be construed to overrule the homeowners' rights pursuant the U.S. and State of Michigan Constitutions with respect to privacy and/or to be safe and secure in their homes.

(d) *Discontinuance of water service.* The building department is authorized and directed to discontinue water service after reasonable notice to the owner and/or occupant when any connection in violation of this section exists. Furthermore, the building department is authorized to take such other precautionary measures as are deemed necessary to eliminate any danger of contamination of the public water supply system forthwith without any notice requirement should the situation so dictate in order to protect the health, safety, and welfare of the public. Water service to any such property shall not be restored until the cross connection has been eliminated in compliance with the provisions of this section.

(e) *Backflow Testing.* That all testable backflow prevention assemblies shall be tested initially upon installation, relocation and/or repair to be sure that the assembly is working properly. Subsequent testing of assemblies shall be on an annual basis or as required by the City and in accordance with Michigan Department of Environment, Great Lakes and Energy requirements. Only individuals that hold an active ASSE 5110 tester's certification shall be qualified to perform such testing. That individual(s) shall certify the results of his/her testing.

(f) *Protection of water supply.* The potable water supply made available to the properties served by the public water supply shall be protected from possible contamination as specified by this section and by state law and the city 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 follows:

"WATER UNSAFE FOR DRINKING"

(g) *Violation; penalty.* Any person who shall intentionally violate any provisions of this section or any written order of the building department, issued pursuant thereto, shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment in the county jail by not more than 93 days and/or a fine of not more than \$500.00. A separate violation shall be deemed to have been committed on each day for which any violation continues.

(Code 1978, § 33-31)

Secs. 82-85--82-120. Reserved.

The Clawson City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take full force and effect ten (10) days after the date of publication.

This Ordinance was adopted by the City Council of the City of Clawson at a meeting duly called and held on the 4th day of May, 2021, and ordered to be published as presented by the law.

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and active City Clerk of the City of Clawson, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance made, passed, and adopted by the Council of said City at a regular meeting held virtually in the City of Clawson, Michigan, Tuesday, the 4th day of May, 2021 at 7:30 p.m., further this Ordinance was duly published in the May 28th, 2021 edition of the Daily Tribune, a newspaper of general circulation in the City of Clawson.

Paula Millan

Paula Millan, Mayor Pro Tem

G. Machele Kukuk

Machele Kukuk, Interim City Clerk

Dated: May 4, 2021

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