

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 15-57.02

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, AT CHAPTER 34, "UTILITIES," ARTICLE II, "WATER SUPPLY SYSTEM," DIVISION 2, "CROSS-CONNECTIONS," IN ORDER TO UPDATE REFERENCES TO STATE LAW AND THE CITY'S CROSS CONNECTION CONTROL PROGRAM AS APPROVED BY THE STATE, TO CORRECT REFERENCES TO APPROPRIATE CITY AND STATE DEPARTMENTS FOR ENFORCEMENT, AND TO PROVIDE FOR A PENALTY FOR VIOLATIONS.

THE CITY OF NOVI ORDAINS:

PART I. That Chapter 34, "Utilities," Article II, "Water Supply System," Division 2, "Cross Connections," of the City of Novi Code of Ordinances is hereby amended to read as follows:

Sec. 34-36. [Unchanged]

Sec. 34-37. Michigan Department of Environmental Quality rules and the City of Novi Cross Connection Control Program are adopted by reference.

The city adopts by reference the water supply cross-connection rules of the Michigan Department of Environmental Quality being R325.11401—R325.11407 of the Michigan Administrative Code and the City of Novi Cross Connection Control Program.

Sec. 34-38. Division supplementary to state plumbing code.

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

Sec. 34-39. Right of entry; right to information from owners, lessees, occupants.

The representative of the department of Public Services, Water and Sewer Division shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the city for the purpose of inspecting the piping system 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 on such property.

The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections.

Sec. 34-40. Inspections.

It shall be the duty of the department of Public Services, Water and Sewer Division 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 reinspections based on potential health hazards involved shall be as established in the City's Cross Connection Control Program in accordance with the Michigan Department of Environmental Quality Cross Connection Rules Manual, 2008 Edition.

Sec. 34-41. Authority to discontinue water service, take other measures for violation.

The Department of Public Services, Water and Sewer Division is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this division 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 has been eliminated in compliance with the provisions of this division.

Sec. 34-42. Testing of testable backflow prevention devices.

All testable backflow prevention devices shall be tested at the time of installation, relocation, and after any repair. Subsequent testing of devices shall be conducted at a time interval specified by the City's cross connection program in accordance with the Michigan Department of Environmental Quality Cross Connection Rules Manual, 2008 Edition. Each tester shall be approved by the City. Individual(s) performing assembly testing shall certify the results of his/her testing.

Sec. 34-43. Violations of Ordinance.

Any person, firm or corporation determined to have been in violation of the provisions of this article shall be responsible for a municipal civil infraction and subject to the provisions of Section 1-11 of this Code. Each day upon which a violation of the provisions of this code shall occur shall be deemed separate and additional violation for the purpose of this ordinance.

PART II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III. Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PART V. Effective Date. The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Novi.

PART VI. Adoption. This ordinance is hereby declared to have been adopted by the Novi City Council in a meeting thereof duly held and called on the 9th day of March, 2015, in order to be given publication in the manner prescribed by the Charter of the City of Novi.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the 9th day of March, 2015.

Maryanne Cornelius, City Clerk

Adopted: 03/09/2015

Published: 03/19/2015

Effective: 03/24/2015

Certificate of Clerk

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 10th day of March, 2015.

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|----|----------------|---------------------|
| 1. | Novi City Hall | 45175 Ten Mile Road |
| | Novi Library | 45255 Ten Mile Road |

I do further certify that on the 19th day of March, 2015 said Text Amendment 15-57.02 was published in brief in the Novi News, a newspaper published and circulated in said City.

Maryanne Cornelius, City Clerk