

**ORDINANCE NO. 2021- 03**

**CITY OF ALGONAC**

**COUNTY OF ST. CLAIR, MICHIGAN**

**AN ORDINANCE OF THE CITY OF ALGONAC, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 44 "UTILITIES," ARTICLE II "WATER," BY REVISING DIVISION 2 "CROSS CONNECTIONS" IN ITS ENTIRETY.**

**THE CITY OF ALGONAC ORDAINS:**

**SECTION 1. AMENDMENT.**

**Chapter 44, Article II is hereby amended to revise Division 2 to read as follows:**

**CHAPTER 44. – UTILITIES.**

**ARTICLE II. – WATER.**

**DIVISION 2. - CROSS CONNECTIONS**

**Sec. 44-40. - Rules adopted.**

The city adopts, by reference, the water supply cross connection rules of the state department of Environment, Great Lakes and Energy ("EGLE"), that being Michigan Administrative Code Regulations 325.11401 through 325.11407.

*(Code 1988, § 24-81; Ord. No. 137, § 1, 5-25-1973)*

**Sec. 44-41. - City to cause inspections.**

It shall be the duty of the city to cause inspections to be made of all properties served by the public water supply system 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 city and as approved by EGLE.

*(Code 1988, § 24-82; Ord. No. 137, § 2, 5-25-1973)*

**Sec. 44-42. - Right of entry; information.**

A representative of the City 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 systems thereof for cross connections. On request, the owner, lessees, or occupants of any property so served shall furnish to the City any pertinent information regarding the piping systems on such property. The refusal of such information or access, when requested, shall be deemed evidence of the presence of cross connections.

*(Code 1988, § 24-83; Ord. No. 137, § 3, 5-25-1973)*

**Sec. 44-43. - Discontinuance of service.**

The City 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 connections have been eliminated in compliance with the provisions of this division.

*(Code 1988, § 24-84; Ord. No. 137, § 4, 5-25-1973)*

**Sec. 44-44. - Protection from contamination.**

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 division and by the state plumbing code. Any water outlet that could be used for potable or domestic purposes and that is not supplied by the potable system must be labeled in a conspicuous manner as follows:

"Water Unsafe for Drinking."

*(Code 1988, § 24-85; Ord. No. 137, § 5, 5-25-1973)*

**Sec. 44-45. - Division to supplement state code.**

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

*(Code 1988, § 24-86; Ord. No. 137, § 6, 5-25-1973)*

**Sec. 44-46. - Testing of backflow prevention assemblies.**

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 City's Director of the Department of Public Works and in accordance with EGLE requirements. Only individuals who hold an active ASSE 5110 tester's certification shall be qualified to perform such testing. The City Manager or the Director of the Department of Public Works shall approve each tester. Individuals performing assembly testing shall certify their results.

*(Ord. No. 2014-03, § 1, 8-19-2014)*

**Sec. 44-47. - Penalties.**

Any person or customer found guilty of violating any of the provisions of this division, or any written order of the Director of the Department of Public Works in pursuance thereof, shall be deemed guilty of a misdemeanor and subject to the penalties set forth in Code Section 1-14.

*(Ord. No. 2014-03, § 1, 8-19-2014)*

Secs. 44-48—44-67. - Reserved.

**SECTION 2. SEVERABILITY**

This ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are 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 the Ordinance shall not be affected thereby and shall remain in full force and effect.

### SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.

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

### SECTION 4. RATIFICATION

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


### SECTION 5. PUBLICATION.

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of Algonac, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

### SECTION 6. EFFECTIVE DATE.

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of Algonac.

### ORDINANCE DECLARED ADOPTED.

  
Terry L. Stoneburner, Mayor  
City of Algonac, Michigan

### CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Algonac, County of St. Clair, State of Michigan, at a regular meeting of the City Council on held on the 2<sup>nd</sup> day of November, 2021, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 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.

Members Present: Bembas, Blair, Gillis, Harris, Martin, Skarbek, Stoneburner

Members Absent: None

It was moved by Member Blair and supported by Member Skarbek to adopt the Ordinance.

Members voting yes: Bembas, Blair, Gillis, Harris, Martin, Skarbek, Stoneburner

Members voting no: None

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of Algonac.



Lisa M. Borgacz, City Clerk  
City of Algonac, Michigan

INTRODUCED: October 19, 2021  
ADOPTED: November 2, 2021  
PUBLISHED: November 10, 2021  
EFFECTIVE: November 10, 2021