

NO. 2843

AN ORDINANCE ADDING SECTIONS 090, 100, 110, 120, 130, 140, AND 150 OF TITLE 13, CHAPTER 04 (GENERAL USE REGULATIONS) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 090 is hereby added to Title 13, Chapter 04 of the Livonia Code of Ordinances, as amended, which section shall read as follows:

13.04.090 State Water Supply Cross Connection Rules Adopted by Reference. The Water Supply Cross Connection Rules of the Michigan Department of Environmental Quality, being R 325.11401 to R 325.11407 of the Michigan Administrative Code, are hereby adopted by reference.

Section 2. Section 100 is hereby added to Title 13, Chapter 04 of the Livonia Code of Ordinances, as amended, which section shall read as follows:

13.04.100 Cross Connection Inspections. It shall be the duty of the Wayne County Environmental Health Division, any successor agency, or an approved contractor 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 potential health hazards involved shall be as established by the Wayne County Environmental Health Division, any successor agency, or an approved contractor, and as approved by the Michigan Department of Environmental Quality.

Section 3. Section 110 is hereby added to Title 13, Chapter 04 of the Livonia Code of Ordinances, as amended, which section shall read as follows:

13.04.110 Right of Entry for Cross Connection Inspections. The representative of the Wayne County Environmental Health Division, any successor agency, or an approved contractor 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 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 give rise to a rebuttable presumption of the presence of a cross connection.

Section 4. Section 120 is hereby added to Title 13, Chapter 04 of the Livonia Code of Ordinances, as amended, which section shall read as follows:

13.04.120 Discontinuance of Water Service where Cross Connections are Discovered. The Wayne County Environmental Health Division, any successor agency, or an approved contractor 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 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. Section 130 is hereby added to Title 13, Chapter 04 of the Livonia Code of Ordinances, as amended, which section shall read as follows:

13.04.130 Testing of Back Flow Devices. All testable backflow prevention devices shall be tested initially upon installation to be sure that the device is working properly. Subsequent testing of devices shall be conducted at a time interval specified by the Wayne County Environmental Health Division, any successor agency, or an approved contractor and in accordance with Michigan Department of Environmental Quality requirements. Only individuals approved by the Wayne County Environmental Health Division, any successor agency, or an approved contractor shall be qualified to perform such testing. Such individual must hold a valid Michigan plumbing license and have successfully passed an approved backflow testing class prior to conducting any such test. That individual(s) shall certify the results of his/her testing.

Section 6. Section 140 is hereby added to Title 13, Chapter 04 of the Livonia Code of Ordinances, as amended, which section shall read as follows:

13.04.140 Protection of Potable Water Supply. Except for grandfathered water wells or wells previously issued permits by Wayne County allowing use of water from such wells for human consumption, 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 7. Section 150 is hereby added to Title 13, Chapter 04 of the Livonia Code of Ordinances, as amended, which section shall read as follows:

13.04.150 Violation Deemed a Misdemeanor. Any person or customer found guilty of violating any of the provisions of this ordinance or any written order of the Wayne County Environmental Health Division or approved contractor, in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$100.00 nor more than \$500.00 for each violation. Each day upon which a violation of the provisions of this act shall occur shall be deemed a separate and additional violation for the purpose of this ordinance.

Section 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 9. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

The above ordinance was passed at the regular meeting of the Council of the City of Livonia held Wednesday, September 23, 2009, at 8:00 p.m.

Linda Grimsby, City Clerk

The foregoing ordinance was authenticated by me on this 24th day of September, 2009.

Jack E. Kirksey, Mayor

Approved as to form:

Donald L. Knapp, Jr., City Attorney
Dated: September 24, 2009