

**CITY OF SWARTZ CREEK  
ORDINANCE NO. 451**

An ordinance to amend Part II of the Code of Ordinances by adding, removing and replacing Section 19-32, entitled "Backflow prevention and cross connection control"

**THE CITY OF SWARTZ CREEK ORDAINS:**

**Section 1. Amendment of Part II, removal and replacement of Section 19.32 of the Code of Ordinances.**

The City hereby amends Part II of the Code of Ordinances of the City of Swartz Creek by Removing Section 19-32 in its entirety and replacing it with Section 19-32, entitled "Backflow prevention and cross connection control" to read as follows:

Sec. 19-32. - Backflow prevention and cross connection control.

- (a) *Introduction.* The intent of this section is to establish a program for the identification, detection and elimination of unprotected cross connections within the public water supply system in order to prevent contamination of the city's public potable water supply from the backflow or back-siphonage of non-potable sources of water or water borne contaminants or pollutants. This section provides guidelines for the proper use of backflow prevention devices, and identifies facilities where the potential for cross connections and the backflow of contaminants will require the use of approved backflow prevention devices.

No physical connection shall be installed or maintained between lines carrying a public potable water supply and pipes, pumps or tanks supplied from or with the potential of being supplied from any non-potable source. Where dual supplies are necessary or desired, lines carrying water from the public water supply system shall be protected against back flow of polluted or contaminated water by means of approved backflow, back-pressure, or back-siphonage devices.

- (b) *Adoption by reference.* The city hereby adopts by reference the water cross connection rules of the State of Michigan, being Rules 325.11401 through 325.11407 of the Michigan Administrative Code ("Rules"), and the City of Swartz Creek Cross Connection Control Program ("program") as prepared by the City of Swartz Creek Department of Public Services and dated October 9, 2001, two copies of which rules and program shall be maintained on file with the city clerk and be available for public inspection during all regular office hours of the city. Any person or firm violating any of the provisions of the rules or the program shall, except as otherwise provided by law, be subject to the penalties and sanctions provided for in this Code.
- (c) *Inspections.* It shall be the duty of the city 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 follow-up inspections based on potential health hazards involved shall be as provided for in and as authorized by the rules and the program.

- (d) *Right to enter.* As provided for in the rules and the program and as permitted by law, duly authorized employees and/or representatives 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 system or water supply system thereof for cross connections.
- (e) *Cross connections in violation of this division.* As provided for in the rules and the program and as permitted by law, the city is authorized and directed, after providing reasonable notice thereof, to discontinue water service 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 cross connections have been eliminated in compliance with the provisions of the rules, the program and this division.
- (f) *Potable water system to be protected 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 and 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 place as:

"WATER UNSAFE  
FOR DRINKING"

- (g) *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 State of Michigan 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.
- (h) *This division supplementary to state plumbing code.* This division does not supersede the state plumbing code, but is supplementary to it.
- (i) *Violations of this division a misdemeanor.* Any person or customer found guilty of a violation of any of the provisions of this division or any written order of the city department of public services, in pursuance thereof, shall be deemed guilty of a misdemeanor.

## **Section 2. Effective date.**

This Ordinance shall take effect twenty (20) days following publication.


At a regular meeting of the City Council of Swartz Creek held on the 11th day of January, 2021, Councilmember Hicks moved for adoption of the ordinance and Councilmember Farmer supported the motion.

YES: Krueger, Pinkston, Henry, Fountain, Farmer, Gilbert, Hicks.

NO: None. Motion Carried.

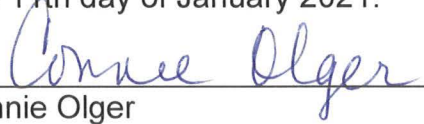
The Mayor declared the ordinance adopted.

  
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David Krueger  
Mayor

  
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Connie Olger  
Clerk

#### CERTIFICATION

The foregoing is a true copy of Ordinance No. 451 which was enacted by the Swartz Creek City Council at a regular meeting held on the 11th day of January 2021.

  
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Connie Olger  
City Clerk

