

Chapter 124

CROSS CONNECTION

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[HISTORY: Adopted by the Village Council of the Village of Bellaire 6-7-2006 by Ord. No. 4-2006]

§ 124-1. Definitions.

CROSS CONNECTION - is defined as a connection or arrangement of piping or appurtenances through which a backflow could occur.

BACKFLOW - means water of questionable quality, waste, or other contaminants entering a public water supply system due to a reversal of flow.

§ 124-2 Cross-connections prohibited; rules adopted by reference.

That 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, in effect at the time this chapter is enacted are hereby adopted by reference.

§ 124-3 Inspections

It shall be the duty of the Village of Bellaire Department of Public Works 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 re-inspections based on potential health hazards involved shall be as established by the Village of Bellaire cross connection program.

§ 124-4 Right of entry: information

That the representative of the Village of Bellaire Department of Public Works shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the Village of Bellaire 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 be deemed evidence of the presence of cross connection.

§ 124-5 Discontinuing cross connection service

That the Village of Bellaire is hereby authorized and directed to discontinue water service, **to the cross connection only**, 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.

§ 124-6 Testing of devices

That all testable 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 Village of Bellaire and in accordance with Michigan Department of Environmental Quality requirements. Only individuals certified by the State of Michigan and approved by the Village of Bellaire Department of Public Works shall be qualified to perform such testing. That individual(s) shall certify the results of his/her testing. The previous time table for testing low hazard devices was at 5 year intervals. The new time table for testing low hazard devices is now at 3 year intervals.

§ 124-7 Protection of potable water supply

That 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 ordinance and by the State of Michigan 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: **WATER UNSAFE FOR DRINKING**

§ 124-8 Supplementary to state plumbing code

That this ordinance does not supersede the most recently adopted State of Michigan Plumbing Code Ordinance but is supplementary to it.

§ 124-9 Penalties

- A. Municipal civil infractions; penalties. Any person who violates any provision of this chapter shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101 to 600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than \$500. Each day this chapter is violated shall be considered as a separate violation.
- B. Enforcement officials. Officers of the Bellaire Police Department, and other Village officials designated by resolution of the Village Council, are hereby authorized to issue municipal civil infractions under this chapter directing offenders to appear in court.
- C. Nuisance per se. A violation of this chapter is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.
- D. Civil remedies. In addition to enforcing this chapter through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this chapter.