

CHARTER TOWNSHIP OF CHINA

ST. CLAIR COUNTY, MICHIGAN

ORDINANCE NO. 169

AMENDMENT OF CHARTER TOWNSHIP OF CHINA CODE OF ORDINANCES  
CHAPTER 28 – UTILITIES, ARTICLE II – WATER SUPPLY SYSTEM

TITLE

AN ORDINANCE amending the Charter Township of China Code of Ordinances, Chapter 28 (Utilities), Article II (Water Supply System) to add provisions regulating cross connections and repealing any and all ordinances and/or resolutions in conflict therewith.

THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF CHINA,  
ST. CLAIR COUNTY, MICHIGAN, ORDAINS:

SECTION 1. AMENDMENTS

1.1 Chapter 28 (Utilities), Article II (Water Supply System), Division 1 (Generally), Sec. 28-31 (Definitions) shall have the following definitions added thereto:

*Backflow* means water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

*Cross connection* means a connection or arrangement of piping or appurtenances through which a backflow could occur.

1.2 Chapter 28 (Utilities), Article II (Water Supply System) shall be amended by the addition of Division 3 (Cross Connection Control), Sections 28-75 through 28-84 shall read as follows:

Sec. 28-75 Rules Adopted. China Township adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Environment, Great Lakes and Energy, being R 325.11401 to R 325.11407 of the Michigan Administrative Code.

Sec. 28-76 Right of Access; Information. A representative of China Township shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the Township for the purpose of inspecting the

pipng 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.

Sec. 28-77 Inspections. It shall be the duty of China Township 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 by China Township and as approved by the Michigan Department of Environmental, Great Lakes and Energy.

Sec. 28-78 Testing. All testable backflow prevention assemblies shall be tested initially upon installation to be sure that the assembly is working properly. Subsequent testing of assemblies shall be on an annual basis or as required by China Township and in accordance with Michigan Department of Environmental, Great Lakes and Energy 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 and providing the Township with the results. All related costs are the sole responsibility of the property owner.

Sec. 28-79 Discontinuing Service. China Township is authorized and may 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. Costs of discontinuing service and reinstating service shall be the responsibility of and paid by the property owner.

Sec. 28-80 Labeling of Non-Potable Water. That the potable water supply made available on the properties served by the public water supply be protected from possible contamination as specified by this ordinance; and the state 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**

Sec. 28-81 Injury or Obstruction of Facilities. No person shall break, damage, destroy, uncover, deface, obscure, obstruct or tamper with any structure, appurtenance or equipment which is part of the Township water distribution system. No person, firm or corporation shall place debris, landscaping, earth or other materials in a manner that will obstruct, obscure, or prevent normal access to or operation of any hydrant, valve, metering facility, Fire Department water connection or any other water system appurtenances. Any person violating this section shall be guilty of a misdemeanor and

shall be punishable as provided by law. The Township may order the removal of the materials. The expenses incurred in the removal shall be a debt to the Township from the responsible person, firm or corporation, and shall be collected as any other debt to the Township.

Sec. 28-82 Backflow prevention. Every service shall be valved between the premises and the main. Owner shall provide for backflow preventers, pressure reducing valves and other appurtenances as necessary in accordance with applicable state codes and Township Ordinances.

Sec. 28-83 Relationship to Plumbing Code. This ordinance does not supersede the state plumbing code or Township Plumbing Ordinance, but is supplementary to them.

Sec. 28-84 Penalty. Any person or customer found guilty of violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of up to \$500 for each violation. Each day upon which a violation of the provisions of this act shall occur may be deemed a separate and additional violation for the purpose of this ordinance.

## SECTION 2. REPEAL OF CONFLICTING PROVISIONS

Except as provided herein, all resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

## SECTION 3. SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

## SECTION 4. PUBLICATION

This Ordinance shall be published in accordance with MCL 42.8(3)(b) by posting a copy of the Ordinance in the office of the Township Clerk and on the China Township website.

## SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect 30 days after publication of a summary or a true

copy of the Ordinance after final passage in accordance with MCL 42.22.

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Charter Township Board of China, St. Clair County, Michigan, at a meeting held on the 18th day of November, 2019.


I hereby further certify that the following Township Board members were present at the meeting: Supervisor Linda Schwehofer, Treasurer Julia Rust, Clerk Deanna Moran, Trustee John Golan, Trustee Alana Cook, Trustee Edward Neiman, Trustee Valerie Schwehofer.

and the following Township Board Members were absent: None.

I further certify that Member Treasurer Julia Rust moved for the adoption of the Ordinance, and that motion was supported by Member Trustee John Golan.

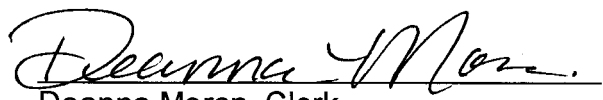
I further certify that the following China Township Board Members voted for the adoption of the Ordinance: Supervisor Linda Schwehofer, Treasurer Julia Rust, Clerk Deanna Moran, Trustee John Golan, Trustee Alana Cook, Trustee Edward Neiman, Trustee Valerie Schwehofer.

and that the following China Township Board members voted against adoption of the Ordinance: None.

  
Deanna Moran, Clerk  
Charter Township of China

CERTIFICATE OF PUBLICATION

I, Deanna Moran, Township Clerk of the Charter Township of China do hereby certify that on November 26, 2019, the foregoing Ordinance was posted in the office of the Township Clerk and on the Charter Township of China's website as authorized by MCL 42.8(3)(b); and on December 4, 2019, a Notice of Ordinance Adoption was published in a newspaper circulating within the Charter Township of China.

  
Deanna Moran, Clerk  
Charter Township of China