

## **Ordinance No. 153-2022**

### **AN ORDINANCE TO AMEND SECTIONS 101 THROUGH 108 OF CHAPTER 28 UTILITIES OF THE CODE OF ORDINANCES, VILLAGE OF UNIONVILLE, MICHIGAN.**

#### **THE VILLAGE OF UNIONVILLE, COUNTY OF TUSCOLA, STATE OF MICHIGAN, ORDAINS:**

**Section 1.** Chapter 28, Utilities, of the Village of Unionville Code of Ordinances is amended in its entirety to read as follows:

#### **§ 28-101. Cross connection rules adopted.**

The Village of Unionville hereby adopts by reference the Water Supply Cross-Connection Rules of the Michigan Department of Environmental, Great Lakes and Energy, being M.A.C. R 325.11401 to R 325.11407.

#### **§ 28-102. Inspections**

It shall be the duty of the Village of Unionville to cause inspections to be made of all properties, within the Village served by the Village of Unionville public water supply system. The frequency of inspections and reinspections, based on potential health hazards involved shall be as established by the village and as approved by the Michigan Department of Environment, Great Lakes and Energy.

#### **§ 28-103. Right of access; information.**

A representative of the village, bearing proper credentials and identification shall have the right to enter at any reasonable time property served by a connection to the Village of Unionville public water system 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.

#### **§ 28-104. Discontinuing water service.**

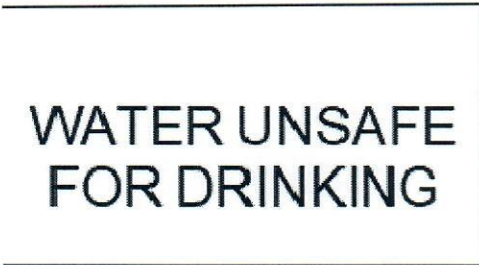
The Village of Unionville is hereby authorized and directed to discontinue water service after reasonable notice to any property within Village, wherein any connection in violation of this subchapter exists and to take other measures necessary to eliminate the danger of contamination of the Village of Unionville public water supply system. Water service to the property shall not be restored until the cross-connections have been eliminated in compliance with the provisions of this subchapter.

#### **§ 28-105. Device Testing**

That 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 the Village and in accordance with Michigan Department of Environment, 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.

#### **§ 28-106. Protection of 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 by the state and or Village 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:



**§ 28-107. Construction of ordinance.**

This Ordinance does not supersede the State Plumbing Code, adopted by reference as the Plumbing Code for the Village, or any other ordinances that the Village has adopted, but is supplementary to them.

**§ 28-108. Penalty**

Any person or other entity that violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to civil fine determined in accordance with the following schedule:

1st Violation within 3-year period *	\$50.00
2nd Violation within 3-year period*	\$125.00
3rd Violation within 3-year period *	\$250.00
4th Violation within 3-year period *	\$400.00

\*Determined on the basis of the date of violation(s).

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the Village has incurred in connection with the violation. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. A violator of this Ordinance shall also be subject to such additional sanctions, remedies, judicial orders and the payment of the Village legal expenses as authorized under Michigan law. Each day a violation of the Ordinance continues to exist constitutes a separate violation.

Ordinance No. 153-2022 was adopted on the 21st day of March, 2022, by a majority vote of the Unionville Village Council as follows:

**Motion by:** Balzer

**Supported by:** Armstead

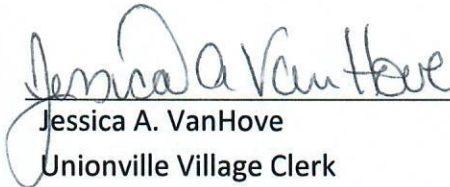
**Yeas:** Anker, Armstead, Balzer, Katnik, Prime, Townsend, and VanHove.


**Nay:** None      **Absent:** None

**Section 2. Effective Date.** This ordinance shall be effective upon its publication.

**Section 3. Publication.** After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the Village Clerk in The Tuscola County Advertiser, a newspaper of general circulation in the Village.

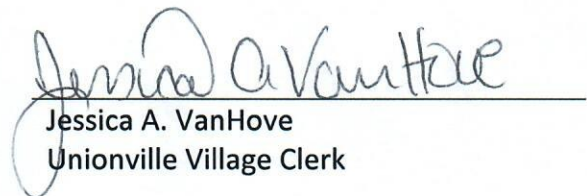
**ORDINANCE DECLARED ADOPTED**

  
\_\_\_\_\_  
Jessica A. VanHove  
Unionville Village Clerk

  
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Matthew E. Prime  
Unionville Village President

**CERTIFICATION**

I, the undersigned duly appointed Village Clerk of the Village of Unionville, Tuscola County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in The Tuscola County Advertiser, a newspaper of general circulation in the Village on March 30, 2022, and that such ordinance was entered with the Ordinance Book of the Village on March 30, 2022.

  
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Jessica A. VanHove  
Unionville Village Clerk