

**Fraser Township**  
1474 Mackinaw Road  
Linwood, MI 48634  
(989) 697-3820

**ORDINANCE # 101**

**PUBLIC WATER SUPPLY SYSTEM CROSS CONNECTION ORDINANCE**

An ordinance: prohibiting cross connections between any public water supply system in Fraser Township and any other sources of water which are not of municipal type to prevent water of questionable quality, wastes or other contaminants from entering public water supply systems in the Township; providing for inspections of properties served by a public water supply; and, providing penalties where cross connections are discovered.

**THE TOWNSHIP OF FRASER BAY COUNTY, MICHIGAN, HERBY ORDAINS:**

**SECTION 1.** The Township adopts by reference the *Water Supply Cross Connection Rules of the Michigan Department of Environmental Quality (now the Department of Environment, Great Lakes Energy "EGLE") begin R 325.11401 to R 325.11407 of the Michigan Administrative Code.*

**SECTION 2.** A temporary or permanent unprotected cross connection between a public water supply system and any source, piping or system that may contain non-potable water or other substances is prohibited. This rule applies to all customer types, such as, industrial; commercial; institutional; government; single and multi-unit residential(s).

**SECTION 3.** Piping configurations creating the potential for water from a public distribution system to flow through a private water main or customer site piping and back into the public system are prohibited.

**SECTION 4.** Areas of private water main served by two or more service connections, where flow through the private system can re-enter, the public system shall have cross connection control protection installed at each connection point to the public system.

**SECTION 5.** It shall be the duty of Bay County Department of Water & Sewer, to cause inspections to be made of all properties served by public water supplies within Fraser Township where cross connections with public water supplies are deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by any public water services serving Fraser Townships, as approved by Bay County Department of Water & Sewer ("BCDWS"), as approved by EGLE.

**SECTION 6.** The Bay County Department of Water & Sewer, shall have the right to enter at any reasonable time any property served by a connection to a public water supply system within Fraser Township 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.

**SECTION 7.** The BCDWS is hereby authorized and directed to discontinue water service after reasonable notice to any owner of 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 a public water supply system. Water service to such property shall not be restored until the cross connections(s) have been eliminated in compliance with the provisions of this ordinance.

**SECTION 8.** All testable backflow prevention assemblies shall be tested at the time

of installation or relocation and after any repair. Subsequent testing of devices shall be conducted at a time of interval specified by the BCDWS, or their designee and in accordance with EGLE requirements. Only individuals that hold an active VALID Michigan Plumbing License and active: ASSE 5110 Testers Certification, shall perform such testing. Each tester shall be approved by the BCDWS, or their designee. Individual(s) performing assembly testing shall certify the results of his/her testing.

**SECTION 9.** The potable water supply made available on the properties served by a public water supply shall be protected from possible contamination as specified by this ordinance and by 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**

**SECTION 10.** This ordinance does not supersede the state plumbing code, but is supplementary to it.

**SECTION 11.** A person or customer found guilty of violating any of the provisions of this ordinance or any written order of the Fraser Township Plumbing Inspector, or designee 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 purposes of this ordinance. In addition to the criminal sanctions provided in this section, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction restraining order, or other appropriate civil proceedings to prevent, enjoin, abate, or remove any violation of this ordinance. Also, plus costs of ordinance enforcement, which may include all direct or indirect expenses to which the Township has been put in connection with the violation, including the Township's attorney fees, at the discretion of the court.

**SECTION 12.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 13.** All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 14.** The above Ordinance was adopted at a regular meeting of the Township Board on the 9th day of May, 2022.

**SECTION 15.** This Ordinance shall take effect the day after publication and shall be published once in the Pinconning Journal, a newspaper of general circulation in the Township on or before the 15 day of June, 2022.

ROLL CALL VOTE: YEAS 5  
NAYS 0  
ABSENT 0

**ORDINANCE DECLARED ADOPTED**

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Patricia Powers, Clerk  
Township of Fraser  
Bay County, Michigan