

SUMMARY

This ordinance amends Chapter 19 of the 2019 Detroit City Code, *Food*, Article III, *Sanitation Standards*, Division 22, *Water, Plumbing and Waste – Plumbing System*, Subdivision E, *Operation and Maintenance*, by amending Section 19-3-772, *Prohibiting a cross connection*, by repealing and replacing Section 19-3-773, *Scheduling inspection and service for a water system device* to *Backflow Device; Testing*, and by adding Section 19-3-776, *Inspections*, and Section 19-3-777, *Violations*, to provide clarity on prohibited cross connection types, protective devices, inspection standards, and to rectify violations.

1 **BY COUNCILMEMBER** _____

2 **AN ORDINANCE** to amend Chapter 19 of the 2019 Detroit City Code, *Food*, Article III,
3 *Sanitation Standards*, Division 22, *Water, Plumbing and Waste – Plumbing System*, Subdivision
4 E, *Operation and Maintenance*, by amending Section 19-3-772, *Prohibiting a cross connection*,
5 by repealing and replacing Section 19-3-773, *Scheduling inspection and service for a water system*
6 *device to Backflow Device; Testing*, and by adding Section 19-3-776, *Inspections*, and Section
7 19-3-777, *Violations*, to provide clarity on prohibited cross connection types, protective devices,
8 inspection standards, and to rectify violations.

9 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
10 **THAT:**

11 **Section 1.** Chapter 19 of the 2019 Detroit City Code, *Food*, Article III, Division 22, *Water*,
12 *Plumbing and Waste – Plumbing System*, Subdivision E, *Operation and Maintenance*, be amended
13 by amending Section 19-3-772, by repealing and replacing Section 19-3-773, and by adding
14 Sections 19-3-776 and 19-3-777, to read as follows:

15 **CHAPTER 19. FOOD**

16 **ARTICLE III. SANITATION STANDARDS**

17 **DIVISION 22. WATER, PLUMBING AND WASTE – PLUMBING SYSTEM**

18 **Subdivision E. Operation and Maintenance**

19 **Sec. 19-3-772. Prohibiting a cross connection; requirements.**

20 (a) A person may not create a cross connection by connecting a any pipe or conduit
21 between the drinking water system and a nondrinking water system or a water system of unknown
22 quality,^Pwhich includes, but is not limited to, the following connections:

1 **Sec. 19-3-773. Backflow Device; Testing.**

2 (a) Prior to installing a protective device, backflow preventer, or other such device,
3 users of a public water supply system shall first obtain written approval for such installation from
4 the Detroit Water and Sewerage Department.

5 (b) Following installation, relocation, or repair and prior to being placed in service, all
6 backflow devices shall be tested in accordance with the requirements of Part 14 of the Michigan
7 Safe Drinking Water Act Administrative Rules (“SDWA”) as follows:

8 (1) Testing must be performed by an individual meeting the requirements of Rule
9 325.11405 of the SDWA; and

10 (2) All testing results required by Subsection (b) of this Section must be furnished to
11 the Detroit Water and Sewerage Department within three days of the test completion.

12 **Sec. 19-3-776. Inspections.**

13 (a) The Detroit Water and Sewerage Department shall inspect all properties, with any
14 non-potable water lines, which are served by a public water supply system where cross connection
15 with a public water supply system is deemed possible as identified in Subsection 19-3-772 (a) of
16 this subdivision.

17 (b) The frequency of inspections and re-inspections is based on potential health hazards
18 as determined by the manufacturer specifications of the installed backflow prevention device, as
19 established by the Detroit Water and Sewerage Department, and as approved by the Michigan
20 Department of Environment, Great Lakes and Energy.

21 (c) The Detroit Water and Sewerage Department shall have the right to enter, upon
22 reasonable written notice, any property served by a connection to the public water supply system
23 of the City of Detroit for the purpose of inspecting the piping system thereof for cross connections.

1 (d) Upon request, the property owner, leasee, or occupant of the property shall furnish
2 to the Detroit Water and Sewerage Department inspection agent any pertinent information
3 regarding the piping system on such property, including:

4 (1) As-built drawing of the plumbing or underground irrigation systems throughout the
5 structure; or

6 (2) For planned or active construction, information regarding the private plumbing
7 setup; and

8 (3) The number of plumbing fixtures.

9 (e) The refusal to provide information identified in Subsection (d) of this section, when
10 requested, shall be deemed a violation.

11 **Sec. 19-3-777. Violations.**

12 (a) The property owner shall promptly correct any violation of this subdivision upon
13 notice of such violation by the Detroit Water and Sewerage Department.

14 (b) A reasonable amount of time shall be allowed for completion of the necessary
15 corrections based on the degree of hazard involved, as determined by the Detroit Water and
16 Sewerage Department, and provided in writing with the notice of violation.

17 (c) In addition to the other remedies specified in this Code, the Detroit Water and
18 Sewerage Department, after reasonable notice, is hereby authorized to discontinue water service
19 to any property that is in violation of Section 19-3-776 of this Code. Water service shall not be
20 restored until the violation has been remediated and the Detroit Water and Sewerage Department
21 has verified completion of the corrective action.

1 (d) Any violations that create an immediate and substantial hazard to the public health
2 of the community shall be corrected by the Detroit Water and Sewerage Department, in such
3 amount of time as determined necessary by the City, based on the degree of hazard involved.

4 (e) Any expenses related to the correction of violations of this Code shall be borne by
5 the property owner.

6 (f) Any property owner who violates the provisions of this Code may experience
7 service interruptions until the violation is corrected.

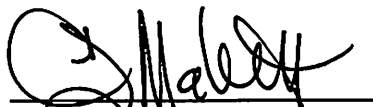
8 **Secs. 19-3-778—19-3-780. Reserved.**

9 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace,
10 health, safety and welfare of the People of the City of Detroit.

11 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are
12 repealed.

13 **Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City
14 Council Members serving, it shall be given immediate effect and become effective upon
15 publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this
16 ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it
17 shall become effective on the thirtieth (30) day after enactment in accordance with Section 4-118
18 of the 2012 Detroit City Charter.

Approved as to form:



Conrad L. Mallett
Corporation Counsel