

Chapter 18 - City Water Utility

1. Definitions. The following definitions shall apply in the interpretation of this Chapter:
 - (a) "Department" shall mean the Department of Water and Sewer of the City.
 - (b) "Person" shall mean any individual, firm, partnership, business, corporation, and any other association of individuals of whatever nature.
 - (c) "Public Water Supply System" shall mean the public water supply system of the City of Troy.
 - (d) "Superintendent" shall mean the Superintendent of the Department of Water and Sewer.
 - (e) "Water Connection" shall mean that part of the City water distribution system connecting the water main with the premises served.
 - (f) "Water Main" shall mean that part of the City water distribution system located within easement lines or streets designed to supply more than one (1) water connection.

(Rev. 09-25-78)

2. Service Connections. Application for water connections shall be made to the Department on forms prescribed and furnished by it. Water connections and water meters shall be installed in accordance with rules and regulations of the Department and upon payment of the required connection fee, meter installation fee and the water main benefit charge if applicable under the provisions of Chapter 20. All meters and water connections shall be the property of the City. Connection fees and meter installation charges shall not be less than the cost of the materials, installation and overhead attributable to such installations. Such fees and charges shall be established by resolution of the City Council from time to time, in accordance with the size of the connection furnished.

(Rev. 09-25-78)

- 2.43 Water Meters. All premises using water shall be metered, except as otherwise provided in this Code. No person except an authorized City employee shall break or injure the seal or change the location of, alter or interfere in any way with any water meter.

(Rev. 04-01-64)

- 2.44 Meter Location. Meters shall be set in an accessible location and in a manner satisfactory to the superintendent. Where the premises contain no basement or cellar or other suitable inside location the meter shall be installed outside in a meter pit, the location of which shall be approved by the superintendent. Where it is necessary to set the meter in a pit, such pit shall be built at the expense of the owner as directed by the superintendent.

(Rev. 04-01-64)

- 2.45 Access to Meters. The superintendent shall have the right to shut off the supply of water to any premises where authorized employees are not able to obtain access to the meter. Any authorized City employee shall at all reasonable hours, have the right to enter the premises where such meters are installed for the purpose of reading, testing, removing, or inspecting the meter or for the purpose of inspecting any pipe or fixture connected to the City Water System, and no person shall hinder, obstruct, or interfere with such employee in the lawful discharge of his duties in relation thereto.

Chapter 18 - City Water Utility

(Rev. 04-01-64)

- 2.46 Responsibility for Meter. The owner of the premises upon which a meter is installed, is hereby made responsible for the same. If by any manner the meter is damaged or stolen such accident must be reported to the superintendent at once. It shall be the duty of the City to make all meter repairs and charge same to the party made responsible for the meter.

(Rev. 04-01-64)

- 2.47 Meter Failure. If any meter shall fail to register properly, the superintendent shall estimate the consumption on the basis of former consumption and bill accordingly.

(Rev. 04-01-64)

- 2.48 Meter Testing. A consumer may require that the meter be tested upon payment of the service fee in advance to cover the cost of the test. If the meter is found defective it shall be repaired or an accurate meter installed and the service fee payment refunded.

(Rev. 01-01-82)

- 2.49 Accuracy Required. A meter shall be considered accurate if when tested it registers not to exceed five (5%) percent more or five (5%) percent less than the actual quantity of water passing through it. If a meter registers in excess of five (5%) percent more than the actual quantity of water passing through it, it shall be considered "fast" to that extent. If a meter registers in excess of five (5%) percent less than the actual quantity of water passing through it, it shall be considered "slow" to that extent.

(Rev. 04-01-64)

- 2.50 Bill Adjustment. If a meter has been tested at the request of a consumer and shall have been determined to register "fast" the City shall credit the consumer with a sum equal to the percent "fast" multiplied by the amount of all bills incurred by said consumer within the three (3) months prior to the test, and if a meter so tested is determined to register "slow", the City may collect from the consumer a sum equal to the percent "slow" multiplied by the amount of all the bills incurred by the consumer for the prior three (3) months. When the City on its own initiative makes a test of a water meter, it shall be done without cost to the consumer, other than his paying the amount due the City for water used by him as above provided, if the meter is found to be "slow".

(Rev. 04-01-64)

- 2.51 Hydrant Use. No person, except an employee of the City in the performance of his duties, shall open or use any fire hydrant except in case of emergency, without first securing permission from the superintendent and paying such charges as may be prescribed.

(Rev. 04-01-64)

12. Outdoor Water Use Restrictions

- 12.01 The City of Troy, through its contract with the Great Lakes Water Authority, is obligated to take steps to insure that whenever possible, the use of the municipal water system shall be used during the non-peak hours of 11pm to 5am. To satisfy this contractual commitment, the following municipal water use regulations are in effect:

(Rev. 03-21-2016)

Chapter 18 - City Water Utility

- A. For those properties in the City of Troy that are serviced by an underground irrigation system, outdoor watering, including the sprinkling of lawns and landscaping, shall be only done during the non-peak hours of 11pm to 5am.
- B. A water user may manually irrigate landscaping at any time, provided the irrigation is not connected to an underground system, and is attended and monitored by the water user.
- C. If the above provisions create a practical hardship for a municipal water user, the municipal water user can petition the Superintendent of the Department of Water and Sewer or his/her designee, asking for relief from one of the above referenced restrictions. The petition shall set forth the requested relief, and shall detail the extraordinary circumstances that would justify the requested relief, as well as the duration of the requested relief. The Director of Public Works or his/her designee can grant or deny or modify the petition, taking into consideration the contractual obligations of the City, as well as the articulated circumstances of the petitioner. The decision of the Director of Public Works or his/her designee shall be final.
- D. Any person, firm, or corporation violating any of the provisions, as set forth in paragraphs A and B, without obtaining relief, as provided in paragraph C, shall be responsible for a municipal civil infraction, in accordance with the provisions of Chapter 100 of the City of Troy ordinances.

(Rev. 05-19-08)

- 12.02 Whenever the City Manager or his/her designee receives notification from the Great Lakes Water Authority or the City Council or the Michigan Department of Environmental Quality that current conditions of the water system of the City are likely to endanger the general welfare of the City, then additional emergency regulations can be imposed on all properties connected to the City water system, including an absolute temporary ban on sprinkling of lawns and landscaping and all outdoor water use.

(Rev. 03-21-2016)

Within 24 hours of notification, as set forth above, any additional emergency regulations shall be posted at the City offices and publicly announced by means of broadcasts or telecasts by the stations with a normal operating range covering the City. The announcement may also be further declared in newspapers of general circulation when feasible. The regulations shall become effective immediately upon the posting and publication of the additional emergency regulations. Upon notification from the Great Lakes Water Authority in connection with the Michigan Department of Environmental Quality or the City Council, that the emergency regulations are no longer necessary, the City shall cause a public announcement lifting the water restrictions.

(Rev. 03-21-2016)

13. Additional Regulations. The City Manager may make and issue additional rules and regulations concerning the water distribution system, connections thereto, meter installations and maintenance, connection and meter installation fees, hydrants and water mains and the appurtenances thereto, not inconsistent herewith. Such rules and regulations shall be effective upon approval by the City Council. The rules and regulations now in effect shall continue until changed in accordance with this section.

(Rev. 09-25-78)

14. Injury to or Obstruction of Facilities. No person, except an employee of the City in the performance

Chapter 18 - City Water Utility

of his duties, shall break, damage, destroy, uncover, deface, obscure, obstruct or tamper with any structure, appurtenance or equipment which is a part of the City 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 in Chapter 1 of this Code. The

Superintendent may order the removal of said materials. The expenses incurred in the removal shall be a debt to the City from the responsible person, firm or corporation, and shall be collected as any other debt to the City.

(Rev. 09-25-78)

Cross Connections

15. It shall be unlawful for any person to make or maintain, or allow to be made or to be maintained, upon property owned or controlled by any person or entity, a cross-connection between the potable water supply system and a secondary water supply system.

(Rev. 03-21-2016)

16. It shall be the duty of the Public Works Director of the City of Troy or his/her authorized agent, to cause inspections to be made of all properties served by the public water supply system. The frequency of inspections and re-inspections, based upon potential health hazards involved, shall be established by the Public Works Director or his/her designee.

(Rev. 03-21-2016)

- 17A. Backflow Preventer Testing. The Public Works Director or his designee shall require testing for backflow preventers to be completed by private individuals or companies, as required by the Michigan Department of Environmental Quality, the State Plumbing Act, or otherwise required by law. The cost for the required testing shall be borne by the property owner. If the Public Works Director or his/her designee opines that there are emergency circumstances that require immediate testing, the Public Works Director may hire a licensed plumber to perform such testing, with the cost to be borne by the customer.

(Rev. 03-21-2016)

- 17B. Notice of Violation; Compliance Period of Time. The Public Works Director, the Cross Connection Control Inspector, or his or her duly authorized agent, upon determining that a violation of the provisions exists, shall notify the owner and/or the occupant of the property so affected, in writing, of the nature of the violation, including a period of time for compliance which shall be commensurate with the degree of the hazard involved. Such notice shall be deemed properly served if a copy is personally served or sent by regular mail to the occupant and/or owner at the address is listed on the City of Troy Assessing Records. Violations which pose an extreme hazard may be disconnected immediately. The owner or occupant's failure to correct the violation within the period of time prescribed, and each day thereafter, shall constitute a separate violation of this Chapter.

(Rev. 03-21-2016)

18. The Public Works Director, or his or her representatives, shall have the right to enter, at any

Chapter 18 - City Water Utility

reasonable time, any property served by a connection to the public water supply system of the City for the purpose of inspecting the piping system or systems for cross-connections. Upon request, the owner or occupants of any property so served shall furnish 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 prima facie evidence of the presence of cross-connections. If there is a refusal, the City is authorized to discontinue services upon Thirty (30) days written notice by regular mail given to the address of the occupants and/or owner, as listed on the City of Troy Assessing Records. The City is also authorized to pursue a Court Order to obtain access to the premises.

(Rev. 03-21-2016)

19. The Public Works Director, or his or her authorized agent is hereby authorized, and may direct the discontinuance of water service after giving Thirty (30) days advance written notice, to any occupant and/or property owner, by personal service or regular mail to the address listed on the City of Troy Assessing Records, if any connection is in violation of this Chapter, and may take such additional precautionary measures which may be deemed necessary to eliminate any danger of contamination of the potable water supply system. Where it is determined that the potable water supply system is being contaminated, such services may be terminated immediately. Water service to such property shall not be restored until any cross-connection has been eliminated in compliance with the provisions of this Chapter.

(Rev. 03-21-2016)

20. 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 Chapter, the State of Michigan Safe Drinking Water Act, the Michigan Plumbing Code and the Michigan Residential Code, which are all incorporated by reference. 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".

(Rev. 03-21-2016)

21. This Chapter shall supplement the Michigan Plumbing Code and the Michigan Residential Code and the Safe Drinking Water Act which are adopted and incorporated. If a conflict should occur, the Regulation which is most restrictive shall govern.

(Rev. 03-21-2016)

22. Any person who violates any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined an amount not exceeding Five Hundred and 00/100 (\$500.00) Dollars, or by imprisonment of up to ninety (90) days, or both. Each day upon which a violation of the provisions of this act occur shall be deemed a separate and additional violation.

(Rev. 03-21-2016)