

PART 109: ORDINANCE 2
WATER RESTRICTION ORDINANCE

THE TOWNSHIP OF LENOX, MACOMB COUNTY, MICHIGAN, ORDAINS:

SECTION 1: Preamble.

This Ordinance is to provide for the public health, safety and welfare of the citizens of Lenox Township to ensure restriction on water consumption during emergencies; the method and notification of such declaration; the water use restrictions; irrigation system restrictions; and to provide for penalty for failure to comply, so to ensure the supply of pressure demand for water is not endangered, or conditions within the water system of Lenox Township are such that action needs to be taken.

SECTION 2: Determination of Emergency: Emergency Regulations.

The Township Supervisor, or his designee, is hereby authorized to declare a water supply emergency whenever he determines any of the following conditions exist:

- A. An existing or anticipated drought condition;
- B. Loss or reduction in volume and/or pressure in water supply from the Detroit Water and Sewerage Department (DWSD);
- C. Failure of anyone or more parts of the supply system;
- D. Any condition that may result in a threat to the public health due to potential or documented contamination associated with low water pressure;
- E. Any condition that may reduce the Fire Department's available water supply to fight fires;
- F. Requests by the Detroit Water and Sewerage Department or Michigan Department of Environmental Quality to place restrictions on the system;
- G. Any use by system customers that adversely impacts peak water use between the hours of 5:00 AM and 11 :00 PM est. which could adversely affect future water supply charges and fees;
- H. Any use by system customers that adversely affects the Township's compliance with terms of its DWSD water contract.

SECTION 3: Notification of Emergency; When Effective.

- A. A water supply emergency shall exist when the Township Supervisor or his designee has caused a declaration of such emergency to be publicly announced by placing it on the Lenox Township reader board signs, placing it on Lenox Township's Website, placing it, when practical, over the appropriate cable television channel, placing it on the Lenox Township's telephone message machine, and, where practical, placing it on the radio or television. The Township Supervisor shall make a record of each date, time, and methods of such declaration. Irrespective of such methods of declaration, a water supply emergency shall be deemed to exist for any person who has received a direct written notice of such declaration.
- B. A declaration of water supply emergency shall include the effective date and time of such emergency, which may be immediate; the period of time during which such emergency shall be in effect, which may be for 24 hours per time, and until such further notice; and the types of outdoor water usage which are prohibited, which may include all outdoor uses involving DWSD water except fire protection; and may permit certain uses on alternating days or during restricted hours.

SECTION 4: Non-Emergency Water Use Restrictions, Irrigation System Restrictions.

- A. A property which is connected to the municipal water system is hereby restricted to irrigating during the following days and times between May 15 and October 1:
- (1) A property with an even-numbered address shall only be allowed to irrigate on even-numbered dates within a month;
 - (2) A property with an odd-numbered address shall only be allowed to irrigate on odd-numbered dates within a month;
 - (3) A property with a newly seeded or sodded lawn and any trees, shrubs and bushes may be, for the first 21 days after planting, irrigated as often as required for growth.

SECTION 5: Violations and Penalties.

A person who violates this SECTION shall be deemed responsible for a civil infraction and will be assessed a fine not to exceed \$500 for each violation. In this regard, a new violation shall be assessed for each day that a violation occurs.

SECTION 6: Any Section Herein that is in Conflict is Hereby Repealed.

SECTION 7: Effective Date.

The terms and provisions of this ordinance are deemed to be an emergency ordinance which shall become effective upon publication and adoption.