

CITY OF FLAT ROCK
WAYNE COUNTY, MICHIGAN

Ordinance No. 347-A

**ORDINANCE TO AMEND CHAPTER 94 OF THE CODE OF
THE CITY OF FLAT ROCK BY ADDING SECTIONS 94-206
AND 94-207 TO PROVIDE FOR IRRIGATION
RESTRICTIONS.**

THE CITY OF FLAT ROCK ORDAINS:

SECTION I. Chapter 94 of the Code of the City of Flat Rock is hereby amended for the purpose of promulgating rules and regulations to decrease the use of the municipal water system during peak hours, and to that end, to obtain a reduced water rate from the Detroit Water and Sewerage Department and provide for enhanced water pressure during peak flows in order to protect the public health, safety, and welfare.

SECTION II. Chapter 94 of the Code of the City of Flat Rock is hereby amended by adding Sections 94-206 and 94-207 to read as follows:

94.206. Outdoor water restrictions.

A. The following words, terms, and phrases, when used in this section, shall have the following meanings:

- (1) *Automatic lawn or landscape irrigation system* means an underground irrigation system consisting of immovable piping and sprinkler heads, or

tubes with holes, which is operated by a timer or controller that can be set to activate the system at regularly scheduled intervals without the concurrent act of the water user, or which may be operated manually.

- (2) *Manual outdoor irrigation* means any form of irrigation requiring active attendance and monitoring by the water user, usually consisting of movable, hand-operated tools or equipment such as an above ground hose with or without a sprinkler attachment, a watering can, a bucket, or any other portable container allowing the water user to water vegetation or to wash or clean outdoor property by hand.

B. All properties in the City shall be subject to the following restrictions regarding outdoor irrigation:

- (1) A property that has an automatic lawn or landscape irrigation system that is connected to the municipal water system is hereby restricted as follows:
- (a) A property with an even-numbered address shall only be allowed to irrigate on even-numbered dates within a month.
 - (b) A property with an odd-numbered address shall only be allowed to irrigate on odd-numbered dates within a month.
 - (c) If a property has mixed odd and even numbered addresses or an undetermined address, the Director of Public Services or his designee may assign an odd/even designation for compliance with this ordinance.
- (2) All automatic irrigation of lawns and/or landscaping shall be permitted only between the hours of midnight and 6:00 a.m. Eastern Daylight Time (EDT).
- (3) A property with a newly seeded or sodded lawn may request a special permit from the Director of Public Services or his designee to permit lawn watering in addition to those times set forth in this section, except that irrigation is prohibited between 6:00 a.m. and 10:00 a.m. (EDT).

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- (4) Manual outdoor irrigation of property connected to the municipal water system is not restricted provided that the irrigation is not connected to an automatic system, except irrigation is prohibited between 6:00 a.m. and 10:00 a.m. (EDT).

C. In addition to the authority provided in Section 94-205, whenever the Director of Public Services determines that the supply or pressure demand for water cannot be accommodated, the general welfare is likely to be in danger, and/or the demand on the City's water system approaches or exceeds 3.89 mgd, the Director shall have the authority to declare a water conservation emergency and prohibit the following activities:

- (1) *Watering yards.* The sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation, except as may be necessary to preserve the stock of a commercial nursery or tree farm.
- (2) *Washing mobile equipment.* The washing of automobiles, trucks, trailers, manufactured homes, railroad cars, or any other type of mobile equipment.
- (3) *Cleaning outdoor surfaces.* The washing of sidewalks, driveways, filling station aprons, porches, and other outdoor surfaces.
- (4) *Cleaning buildings.* The washing of the outside of dwellings; the washing of the inside and outside of office buildings.
- (5) *Cleaning equipment and machinery.* The washing and cleaning of any business or industrial equipment and machinery.
- (6) *Ornamental fountains.* The operation of any ornamental fountain or other structure making a similar use of water.
- (7) *Swimming pools.* Swimming and wading pools not employing a filter and recirculating system.
- (8) *Escape through defective plumbing.* The escape of water through defective plumbing.

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D. The Director of Public Services or his designee shall, within twenty-four (24) hours of declaring a water conservation emergency, post a notice at the Municipal Building and cause a notice to be published in a newspaper of general circulation in the City. Notice of discontinuing the water conservation emergency shall likewise be posted at the Municipal Building and published in a newspaper of general circulation.

E. Any person, firm, or corporation violating any of the provisions set forth in this section shall be responsible for a municipal civil infraction, and shall pay a fine in the following amount, or as may be amended from time to time by resolution of the City Council:

- (1) First violation: \$100.00.
- (2) Second violation: \$250.00.
- (3) Third or subsequent violation: \$500.00.

94-207. Hardship.

If any provisions contained in Section 94-206 create a practical hardship for a municipal water user, the municipal water user may petition the Director of Public Services and/or his designee, asking for relief from one of the restrictions contained therein. 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 Services or his designee can grant or deny or modify the petition, taking into consideration the contractual obligations of the City with the Detroit Water and Sewerage Department, as well as the articulated circumstances of the petitioner. The decision of the Director of Public Services or his designee shall be final.

SECTION III. That all ordinances or parts of ordinances, Code of the City of Flat Rock, or parts of the Code of the City of Flat Rock, not consistent herewith are hereby repealed.

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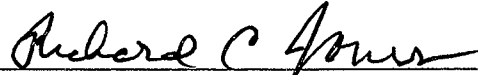
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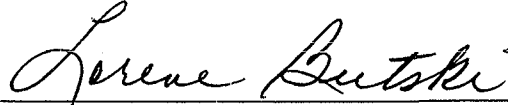
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SECTION IV. This ordinance shall be published in the News Herald newspaper as required by Charter on the 27 day of September, 2009, but in no event shall be effective earlier than ten (10) days after enactment.

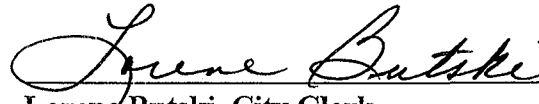


Richard C. Jones, Mayor



Lorene Butski, City Clerk

I hereby certify that the foregoing is a true copy of the ordinance adopted by the Council of the City of Flat Rock at a meeting thereof on Sept. 21, 2009, 2009, the original of which proceedings is on file in my office.



Lorene Butski, City Clerk

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