

**TOWNSHIP OF MACOMB
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 242**

THE TOWNSHIP OF MACOMB ORDAINS:

Section 1. Chapter 15 of the Code of Ordinances for the Township of Macomb is hereby amended and revised for the purposes of protecting the public health, safety and welfare; providing for decreases in maximum water usage at peak hours in order to achieve a better water rate from the Detroit Water and Sewer Department; provide for a decrease in peak water usage in order to provide for better water pressure throughout the entire system during peak flows in order to protect the public health, safety and welfare.

Section 2. Chapter 15 of the Code of Ordinances is hereby revised and amended to add Section 15-59 and subsections to read as follows:

15-59. Irrigation Restrictions; Limitations on Water Use.

(a) Irrigation Systems Restrictions. Property which has an automatic activated or manually operated lawn and landscape irrigation system which is connected to the municipal water system is restricted from irrigating pursuant to the following restrictions between May 15 and October 15 of each calendar year:

1. Automatic lawn and/or landscaping irrigation is prohibited between the hours of 5:00 a.m. and 11:00 p.m. Eastern Standard Time (6:00 a.m. to 12:00 a.m. Eastern Daylight Time) except as provided in Sec. (a) 5 below.
2. Properties with an even numbered address shall be allowed to irrigate on even numbered dates within the month.
3. Properties with an odd numbered address shall be allowed to irrigate on odd numbered dates within the month.
4. If a property has a mixture of odd and even numbered addresses or an undetermined address, the Water and Sewer Superintendent, or his designee, may assign an oddeven designation for compliance with this ordinance.
5. A property with a newly-seeded or sodded lawn may for the first twenty-one (21) days following planting, irrigate such lawn as often as required, except that irrigation is prohibited between 5:00 a.m. and 9:00 a.m. Eastern Standard Time (6:00 a.m. to 10:00 a.m. Eastern Daylight Time).

(b) A water user may manually irrigate residential landscaping utilizing garden hoses and sprinklers provided the irrigation is not connected to an automatic system, is attended and

monitored by the water user and is prohibited between the hours of 5:00 a.m. to 9:00 a.m. Eastern Standard Time (6:00 a.m. to 10:00 a.m. Eastern Daylight Time).

(c) The Board of Trustees for the Township of Macomb may declare an emergency and require that lawns and garden sprinkling and private car washing be limited to such periods as it deems advisable in order to assure an adequate supply of water for household and industrial uses.

(d) Whenever the Board of Trustees for the Township of Macomb shall declare an emergency as specified, it shall publish in a newspaper of general circulation in the Township a notice of its determination and of the rules and regulations limiting the periods and setting forth the regulations governing domestic use of water. A violation of the regulations so determine and published shall constitute a violation of this Chapter.

(e) This Chapter may be enforced by representatives of the Water and Sewer Department, Building Department, Macomb County Sheriff Department, and/or any other employees authorized to issue appearance tickets.

(f) If the above provisions create a practical hardship for a large commercial water user, the water user can petition the Superintendent, 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 Superintendent can grant or deny or modify the petition, taking into consideration the contractual obligations of the Township as well as the articulated circumstances of the petitioner. The decision of the Superintendent shall be final.

Section 3. Severability. In the event any article, section, paragraph, sentence, clause or word of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and shall not affect the validity of the remaining portions of this ordinance.

Section 4. Repealer. Any and all ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

Section 5. Effective Date. The provisions of this ordinance are hereby ordered to take effect after adoption and publication in a newspaper of general circulation within the Township.

AYES: Dunn, Nevers, Malburg, Bucci, Krzeminski, Grabow

NAYS: None

ABSENT: Koehs

ORDINANCE DECLARED ADOPTED.

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Macomb, Township, Macomb County, Michigan, at a meeting held on the 13th day of May, A.D., 2009.

I hereby further certify that the following Township Board members were present at said meeting: BUCCI, DUNN, GRABOW, KRZEMINSKI, MALBURG, and NEVERS the following Township Board Members were absent: KOEHS

I further certify that Member **DUNN** moved for the adoption of said Ordinance, and that motion was supported by Member **NEVERS**.

I further certify that the following Macomb Township Board Members voted for the adoption of said Ordinance: **BUCCI, DUNN, GRABOW, KRZEMINSKI, MALBURG, NEVERS** and that the following Macomb Township Board members voted against adoption of said Ordinance: **NONE**

Michael D. Koehs, CMC, Clerk
Macomb Township