

CHAPTER II Water Supply

SECTION I -WATER SUPPLY FOR ANY PREMISE

1.1 Approved Water Supply

All private, type III, and type II public water supply systems shall be constructed in accordance with Act 386 of Public Acts of 1978 as amended and Rules or Act 399 of Public Act of 1976 and Administrative Rules and with Chapter II of these regulations; shall meet water quality standards as defined in these rules; and shall produce an amount of water which will meet the needs of all system users, during all periods of peak demand.

1.2 Unapproved Water Supply

It shall be unlawful for any person to occupy or permit to be occupied, any premise which has a water supply system in violation of these Regulations. ~~which is not provided with an approved water supply system. Such All water supply systems shall be constructed in accordance with Chapter II of these regulations and shall produce an amount of water which will meet the maximum needs of all occupants at any time.~~ Any premise constructed or maintained which is not in accordance with this chapter may be declared unfit for habitation and may be so posted by the Health Officer.

SECTION II - CROSS CONNECTION AND UNAPPROVED CONNECTION

2.1 Cross Connection Rules

The rules of the Michigan Department of Environmental Quality, entitled “Water Supply Cross Connection,” being sections R 325.431 through R 325.440 of the Michigan Administrative Code, shall apply in Clinton, Gratiot, and Montcalm Counties. Where a duly appointed plumbing inspector has authority to enforce the State Plumbing Code, Act No. 266 of 1929, as amended, compliance with said Code shall be deemed to be compliance with this section.

2.2 Protection of Potable Water From Cross Connections

Water supply piping carrying water intended for human consumption or body contact shall not be directly connected to any pipe fixture or device containing sewage, wastewater, chemical solutions, or water from any source which is not approved for human consumption. Where potable water is supplied to such pipe, fixture, or device, the potable water shall be separated there-from by a safe air gap (or other approved means). A safe air gap is defined as the minimum vertical distance above the highest possible water level or overflow rim of the fixture, device or container measured to the lowest opening of the potable water supply pipe or faucet. Such air gap shall be at least two times the internal diameter of the potable water supply pipe, except that it shall not be less than one inch and need not be greater than twelve (12) inches.

2.3 Cross Connections Prohibited

There shall be no cross-connection between a public ~~or municipal~~ water supply system and any active or abandoned privately-owned water supply system at a premise served by a public water supply; or any sewer, drain, conduit, swimming pool, submerged inlet, siphon, storage reservoir, non-potable water supply piping, or any liquid capable of causing contamination of the approved public water supply. ~~private water supply system, except under conditions approved in writing by the Health Officer in compliance with Section 3.1 of these regulations.~~

A physical connection between a privately-owned water supply that is in compliance with these Regulations and another water supply which is not in compliance with the provisions of Act 368 Part 127 of Public Acts 1978 and Rules as amended and these Regulations is prohibited.

SECTION III - PERMIT FOR WATER SUPPLY SYSTEMS

3.1 Permit

It shall be unlawful for any person to construct, alter or extend any private, type III, or type II public water supply system, open loop geothermal system, and/or well within Clinton, Gratiot, and Montcalm Counties, unless they have a permit issued by the Health Officer to construct, alter or extend same. Any person found to have constructed, altered, or extended any water supply system without benefit of an approved permit shall be subject to the penalties set forth in Chapter 1, Section 1.13 for violation of these Regulations.

3.2 Transfer of Permits

Should the ownership of the property for which a permit has been issued change, the permit may be transferred to the new owner provided that no change in the scope of the project has or will occur. The transfer must be requested in writing on forms to be provided by the Health Department and signed by the new property owner as well as the original property owner.

3.3 Expiration of Permits

Any permit issued pursuant to the requirements of the preceding sections shall be valid for the term of twenty-four (24) months from the date of issuance, unless declared void as provided in Section 3.4 of these regulations. At the request of the applicant, said permit may be extended for a period of not more than one (1) year from the original date of expiration.

3.4 Void Permits

The Health Officer may declare a previously issued Water Supply Construction Permit to be null and void for any of the following reasons:

- a. False, inaccurate, or incomplete information supplied by the applicant or permit holder; or
- b. A change in the construction plans of the applicant or permit holder affecting circumstances relative to the water supply design, location or use; or
- c. Discovery of health hazards at the site that might impact public health.

3.5 Denial of a Permit

The Health Officer may deny an application for a Water Well Construction Permit when the applicant has supplied incomplete, inaccurate, or false information, or when the Health Officer determines that the requirements of these regulations and applicable state statutes have not or cannot be met. The denial and reasons for said denial shall be furnished to the applicant in writing.

When connection can be made to an available approved public or municipal water supply, the Health Officer shall not issue a permit to construct a private water supply system unless approved by the local municipality. ~~No cross-connection between a public and private water supply shall be allowed.~~

3.6 Easements – Water Supply Systems

If any portion of a water supply system (well casing, pump, pump house, supply line, electrical, etc) is proposed for placement on a separate, legally recognized parcel, then an easement or permanent deed restriction shall be required and shall be recorded with the applicable County Register of Deeds Office. A “separate, legally recognized parcel” is defined as a parcel of land with a legal description or tax parcel identification number differing from the parcel where the dwelling is located or proposed to be built.

Plans, which may include a recorded survey, are to accompany any permit application where the intended water supply system, or any part thereof, is proposed on a “separate, legally recognized parcel”.

The Health Department shall require proof that all applicable documents related to an easement or permanent deed restriction have been recorded with the applicable County Register of Deeds Office prior to the issuance of a water well permit.

In instances where the recording of an easement or permanent deed restriction may delay construction of the repair or replacement of an existing water well, the homeowner may request authorization to record these documents at the completion of the water well repair or replacement process. Health Department final approval of the completed construction will be withheld until proof that all applicable documents have been recorded with the Register of Deeds Office and submitted to the Health Department.

SECTION IV - INSPECTION AND APPROVAL

4.1 Inspection and Approval

All newly constructed water supply installations and records pertinent to each installation are subject to inspection by the Health Officer. Furthermore, all new water wells and pump installations shall be approved in accordance with Part 127 of Act 368, P.A. 1978 as amended, or Act 399 P.A. of 1976 as amended and Administrative Rules.

SECTION V - APPLICATION, PERMIT AND FEES

5.1 Applications

An application for a permit to construct a private water supply system, type III, or type II public water supply system, open loop geothermal system, and/or well must be in writing and submitted to the Health Officer. A plan of the proposed well location shall be provided on the application showing the well location in relationship to the building, property lines and possible sources of contamination.

5.2 Permits

A permit to construct a private water supply system, type III, or type II public water supply system, open loop geothermal system, and/or well shall be issued upon approval by the Health Officer. Such approval shall be based upon the provisions of Part 127 of Act 368 Public Acts of 1978 or Act 399 Public Acts of 1976 and these Regulations.

SECTION VI - ABANDONMENT OF WELLS

6.1 Abandonment

Water Supply Systems and/or wells All wells determined to be irreparable; are subject to contamination; or are a threat to public health shall be abandoned in accordance with Part 127 of Act 368, Public Acts 1978 and Administrative Rules as amended.

6.2 Connection to Public or Municipal Water Supplies

Whenever use of a well is to be discontinued as a result of connecting the premise it served to a public or municipal water supply, the well shall be abandoned in accordance with Part 127 of Act 368, Public Acts 1978 as amended and Administrative Rules at the time of connection to the public or municipal water supply.

6.3 Continued Use for Non-Potable Purposes

In instances where an Abandoned Water Supply System and/or well a well is repairable and continued use of the well for non-potable purposes is proposed, the well may be upgraded to standards specified in Part 127 of Act 368, Public Acts 1978 as amended and Administrative Rules in lieu of abandonment if it has been determined the well is not subject to contamination or a threat to public health. A permit will be required before repairs, modifications or upgrades to the well can be implemented. A water supply system being considered under this section for continued use shall be in compliance with Chapter II, Section II of these Regulations.

SECTION VII - PUMP OR WELL ROOMS

7.1 Rooms Housing Well and Pumping Equipment

Rooms housing well and pumping equipment shall be above ground level or installed in a basement offset which is attached to an approved basement.

SECTION VIII - EMERGENCY CONDITIONS

8.1 Emergency “Out of Water”

In the event an emergency arises where the lack of water will result in undue hardship and all the following conditions exist:

- a. The offices of the Mid-Michigan District Health Department are closed; and
- b. When a registered well driller is involved in repair work; and
- c. It is deemed necessary to begin construction immediately on a new well; and
- d. Proper isolation of the well site from sources of contamination has been verified by the property owner and the well driller

A registered well driller may begin extensive changes and/or construction of a new water supply without notification or permit. On the next regular day of business, the well driller shall notify the Health Department that a well has been installed and provide the name and address of the homeowner. The homeowner or their designated representative is then required to make application for a water well construction permit on the next available day that the Health Department is open.

SECTION IV – Geothermal Heat Pump Systems

9.1 Closed Loop Geothermal Systems

The Health Officer is to be notified of the proposed and permanent location of any closed loop geothermal system so that proper separation distances from sources of groundwater contamination, water supplies, sewage systems (including replacement areas) and other on-site features can be attained.

9.2 Minimum Isolation Distances in Feet – Closed Loop Geothermal Systems

A closed loop geothermal system shall be installed in a location meeting the following minimum horizontal separation distances:

Household drinking water well	50
Type IIb or III public water well	75
Type I or IIa public water well	200
Residential on-site sewage system	25
Buried water service line or sewer line	10
Property line	10

9.3 Open Loop Geothermal Systems

1. Open loop geothermal systems are required to be in compliance with Section 3.1, 5.1, and 5.2 of this Chapter detailing required applications and permits.
2. If discharge water is proposed to be disposed of through a discharge well, an additional permit application and associated fee is ~~would be~~ required. If the discharge water does not contain additives, it may ~~must~~ be discharged into the same aquifer as the supply well.
3. All open loop geothermal system wells are to be constructed and abandoned ~~under~~ pursuant to the provisions of Part 127, of PA 368, 1978 as amended and the administrative rules comprising the Michigan Water Well construction and Pump Installation Code.