

ORDINANCE NO. 559, BOOK 5

**AN ORDINANCE AMENDING CITY OF IRONWOOD CODE OF ORDINANCES
CHAPTER 31 UTILITIES; ARTICLE II BY ADDING DIVISION 3. “MANDATORY
REPLACEMENT OF LEAD SERVICE LINE”.**

WHEREAS, the City of Ironwood water system is supplied by the City of Ironwood Water Treatment Facility; and

WHEREAS, The water treatment facility is and continues to be a clean source of water;

WHEREAS, the City of Ironwood operates the City’s water distribution system, to service its residents.

WHEREAS, there exists approximately forty privately owned properties serviced by obsolete lead service lines within the City of Ironwood; and

WHEREAS, the lead service lines connect to the City’s water distribution system, but are owned by the property owner; and

WHEREAS, the City and State prohibited the use of lead service lines and plumbing in new construction; in 1986 Federal law banned the use of lead solder on pipes in the construction of new homes; and

WHEREAS, the United States Environmental Protection Agency (USEPA) adopted regulations to control lead and copper in drinking water and the Michigan Department of Environment, Great Lakes, and Energy has directed the City to replace lead service lines in accordance with USEPA’s lead and copper rule; and

WHEREAS, the City believed and believes that the provision of clean, lead-free drinking water to its residents is a public purpose beneficial to the City as a whole and any benefit to any private land owner in accompanying this purpose is incidental and subordinate to this primary public and governmental purpose; and

WHEREAS, for the health, safety and welfare of its residents and the Ironwood City Commission desires to require all property owners serviced by a lead service line, to replace that service through the program established by the City at no cost to the property owners or replace the line at their own expense and due to the hazard that lead in the drinking water possesses to the health and safety of residents, that permission from the owner of the property to replace the lead service line is NOT required.

BE IT ORDAINED by the City Commission of the City of Ironwood, Gogebic County, Michigan that:

Chapter 31 Article II of the Code of Ordinances is amended by adding DIVISION 2 –
“Mandatory Replacement of Lead Service Line”:

CHAPTER 31

ARTICLE II. WATER SUPPLY – DIVISION 3. MANDATORY REPLACEMENT OF LEAD SERVICE LINE

31.51. Lead Service Line Replacement.

- (a) **Purpose.** The Ironwood City Commission finds that it is in the public interest for the City to Maintain a comprehensive program for the removal and replacement of lead service lines in use or may be used in the City of Ironwood and connected to the City's public water distribution system. This Division sets forth the program requirements and declares the purpose of this ordinance to be as follows:
- 1) to ensure that the water quality at every tap meets the water quality standards specified under the Federal and Michigan Safe Drinking Water Act (Act 399 of 1976, as amended from time to time).
 - 2) to reduce the lead in drinking water to meet U.S. Environmental Protection Agency (EPA) standards and ideally to lead contaminant level of zero, as possible; and
 - 3) to meet the Michigan Department of Environment, Great Lakes, and Energy requirements for local compliance with the federal and State Lead and Copper Rule; and
 - 4) to Affect the replacement of lead and galvanized service lines.
- (b) **Definitions.** For the purposes of this Article,
- 1) Contractor shall mean a licensed vendor that contracts with the City of Ironwood to replace lead service lines.
 - 2) Dwelling shall mean a building or structure or part thereof containing one more dwelling units. This Article shall also apply to buildings and structures that are not used for residential purposes.
 - 3) Dwelling unit shall mean a building or structure or part thereof containing one (1) or more dwelling units.
 - 4) Effective Date shall mean the date in which this Amendment becomes effective – the date of publication.
 - 5) Lead Service Line shall mean the water line on private property that leads to the Dwelling, structure or building that is connected to the Main City of Ironwood water line.

- 6) Occupant shall mean a person or persons in actual possession of and living in the building or dwelling unit.
- 7) Owner shall mean any person or entity who has legal title to any dwelling, with or without accompanying actual possession thereof; or, who has equitable title and is either in actual possession or collects rent therefrom; or, who is the executor, trustee, guardian, or receiver of the estate or Trust of the Owner, or as mortgagee or as vendee in possession by virtue of a Court Order, executory contract or by agreement or voluntary surrender of the premises by the person holding legal title, or as collector of rents has charge, care or control of any dwelling or rooming house.

31-52. Lead Service Lines. It is hereby established that the existence of lead service lines is prohibited in the City of Ironwood.

- (a) A property owner may be excluded from the Mandatory Replacement of its lead service line by providing the Ironwood Department of Public Works by July 1st, 2026, with written proof from a licensed and certified plumber that it does not have a lead service line on its property and/or that the lead service line was previously removed and replaced.
- (b) A property owner is excluded from this mandatory replacement if the City has already replaced their lead service line, or the waterline to the home has been already verified by the City to be in compliance with the State of Michigan and USEPA lead service line rules and regulations.

31-53. Mandatory Replacement of Lead Service Line.

- (a) The owner of any dwelling, building or structure serviced by a lead service line is required to replace the lead service on their property. The replacement of the lead service line must be completed by September 1st, 2026. An extension of time may be granted where the owner can demonstrate to the City that a good faith effort has been made to comply with the ordinance.
- (b) The Owner of any dwelling, building or structure shall replace their lead service line by any of the following methods:
 - 1) Signing up for the Lead Service Line Replacement Program offered by the City of Ironwood and allowing contractors to access their property to conduct the replacement. The contractor will provide the owner with a Water Service Line Replacement Agreement for completion. The Water Service Line Replacement Agreement will provide the Contractor with access to the property to verify the existence of a lead service line and conduct replacement if a lead service line is confirmed; or
 - 2) Replacing the lead service line on their own and at their own expense. If an owner selects this option, then replacement must be completed within one-hundred and eighty (180) days of the Effective date of this Ordinance. An extension of time

may be granted where they owner can demonstrate to the City that a good faith effort has been made to comply with the ordinance. An owner is required to provide to the City with proof that the lead service line has been replaced. Proof must include at a minimum: a permit issued by the City to a licensed plumber to do the work; an invoice from the contractor who completed the work; a copy of the estimate along with any report of the work completed, and an inspection report verifying the removal of the lead service line.

51-54. Authorization to Access Property.

- (a) Notwithstanding Section 31-53, if an owner of the dwelling, building or structure does not sign up for the Lead Service Line Replacement Program or does not replace its lead service line by September 1st, 2026, or is inaccessible or otherwise denies access to the property to enable the replacement of the line, then the following procedure should be followed:
- 1) The City shall secure entrances to the property from the owner or current occupant of the dwelling, building or structure, and the City shall incur no liability from the owner. The contractor will provide the owner or occupant with a Water Service Line Replacement Agreement for completion. The Water Service Line Replacement Agreement will provide the Contractor with access to the property to verify the existence of a lead service line and conduct replacement if a lead service line is confirmed. The City shall restore the property to its original condition, or as close as possible to its original condition;
 - 2) If access is granted by the occupant of the dwelling, building or structure, then the occupant shall be held harmless and no liability shall incur to the City or the occupant due to the replacement of the lead service line by the City of Ironwood; and
 - 3) If access is denied by the current occupant or owner, then the City may commence procedures, including filing a Court action, to conduct the replacement of the lead service line.

31-55. Proof of Lead Service Line Replacement Required for Certificate of Occupancy, Certificate of Code Compliance.

- (a) Upon the sale or transfer of ownership of any dwelling, building or structure, the owner must provide proof that the lead service line has been replaced in order to secure a Certificate of Occupancy and/or a Certificate of Code Compliance.
- (b) Upon the sale of any City-owned property, within ninety (90) days of the closing, the buyer is responsible for replacing the lead service line, whether by enrolling in the Lead Service Line Replacement Program or in accordance with Section 31-54(b)(2) above.

31-56. Disconnection of service line for failed abandoned properties or by agreement.

- (a) The City will notify homeowners of properties that they reasonably believe to be abandoned, with a letter notifying them of their obligations to follow this ordinance. The city clerk shall send the notice by certified mail, return receipt requested, addressed to the last known address of the owners of the land. If a homeowner does not reply back to the City of Ironwood within 15 days with direction of how to proceed with the lead service line issue, then the City of Ironwood is allowed to disconnect the lead service line at the Right of Way line or the Water Main line, which ever is deemed appropriate by the City of Ironwood.
- (b) If a homeowner does not plan to repair a home to a livable state, then the City and said homeowner can agree to disconnect the water service line by a written agreement.

31-57. Penalty.

- (a) A violation of this section is punishable as set out in section 1-13, as it may be amended or changed from time to time.

Adopted and approved by the City Commission of the City of Ironwood, Michigan this ____ day of June 2026.

JENNIFER L. JACOBSON, CITY CLERK

KIM CORCORAN, MAYOR

Published in accordance with provisions of Section 6.1 entitled Legislation of Chapter 6 of the Charter for the City of Ironwood, Michigan on _____, 2026.