

PUBLIC NOTICES

ORDINANCE NO. 2019-1 DRAFT WATER ORDINANCE TOWNSHIP OF STANDISH, MICHIGAN

An ordinance to provide for the operation and maintenance of all water supply facilities of Standish Township on a public utility rate basis under the provisions of Act 94, Public Acts of Michigan, 1933, as amended; to establish charges and rates for water service in the Township of Standish; to prohibit water cross connections; to provide penalties for violation of such ordinance regulations.

THE TOWNSHIP OF STANDISH ORDAINS:

SECTION I SHORT TITLE

This ordinance shall be known and may be cited as the "Standish Township Water Ordinance"

SECTION II OPERATION ON PUBLIC UTILITY RATE BASIS

It is hereby determined to be necessary for the public health, safety and welfare of the Township of Standish that water supply facilities of the Township, whether owned by the Township or operated as lessee and agent, be operated on a public utility rate basis in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

SECTION III DEFINITIONS

APPLICANTS – Any owner who applies to the Township after the initial water system project installation.

BACKFLOW - The word "backflow" means water of questionable quality, waste or other contaminants entering the system due to a reversal of flow.

BACKFLOW PREVENTION DEVICE – A device which prevents the contamination of the public water system from a private water system.

CHARGES - The terms "charges for water services" or "charges" mean the amount charged to each premises in the Township connected to the system for the purpose of receiving a supply of water.

CONNECTION - Means the main connection from the public water main to the property line as determined by the Township Board, including the tapping of the water main, service pipe, water meter and meter pit at the road right of way.

CONNECTION COST CHARGE - The term "connection cost charge" means the amount charged to any applicant for the installation of the water main connection from the public water main to the property line as determined by the Township Board, including the tapping of the water main, service pipe, water meter and meter pit at the road right of way.

CROSS CONNECTION - The term "cross connection" means a connection or arrangement of piping or appurtenances through which a backflow could occur.

DWELLING UNIT - The term "dwelling unit" means a structure containing one or more rooms, with bathroom and principal kitchen facilities, designed as self-contained unit for occupancy by one family for living, cooking, and sleeping.

FEES AND CHARGES – Those fees and charges as defined in Standish Schedule of Fees and Charges.

OWNERS - Each unit, lot or parcel of land, building, portion of a building, or premises having any connection to the water system.

PARCEL or **PREMISES** - Each unit, lot or parcel of land, building, portion of a building, or premises having any connection to the water system.

PERSON - Any individual, firm, association, entity, corporation, or public agency or instrumentality.

PREMISES - The term "premises" means a lot or parcel of land, exclusive of buildings, however owned, or occupied.

REVENUES - NET REVENUES - Whenever the words "revenues" and "net revenues" are used in this Ordinance, they are understood to have the meanings as defined in Section 3, Act 94, Public Acts of Michigan, 1933, as amended.

SYSTEM - Whenever the word "system" referred to in this Ordinance, it is understood to mean the complete water supply facilities of the Township of Standish, including all water lines, pumps, storage or treatment facilities, and all other facilities used or useful in the transmission and distribution of potable water, including all appurtenances, including all extensions and improvements, which may hereafter be acquired.

TAP-IN - Means the connection between the meter and the premises.

TAP-IN-CHARGES - The terms "tap-in-charges" and "tap-in-fees" mean a charge made to any applicant for water services for the privilege of connection to such water service.

TOWNSHIP - The term "Township" shall be construed to mean the Township of Standish and the term "County" means the County of Arenac, both in the State of Michigan; the term "Township Board" means the Township Board of Standish, the legislative and governing body thereof.

WATER SERVICE - Means the providing of a supply of water to premises connected to the system.

SECTION IV SUPERVISION AND CONTROL OF SYSTEM

4.1 WATER CONNECTION

A water connection to the public water system is not mandated, but may be requested in the future. Initial connection and tap-in fees for the installation of the system will be assessed to all premises within the assessment area (see General Assessment).

4.2 DESIGNATION OF AUTHORITY

The operation, maintenance, alteration, repair, and management of the system will be under the supervision and control of the Township Board.

4.3 APPLICATION FOR WATER CONNECTION

Any person, firm, or corporation desiring public water service, in an area of the Township which has public water service mains, must file an application with the Township, containing the name and address of the applicant; the size of the water service connection pipes desired; and the distance, if known, that the property is located from any existing public water main.

SECTION V CONNECTION

5.1 INSTALLATION OF CONNECTION

The Township reserves to itself the right to install any required service connection or main extension, to subcontract the same to any private licensed contractor. An inspection and supervision fee must be paid by the applicant to the Township.

5.2 SECURITY DEPOSIT

The Township reserves to itself the right to obtain a security deposit for any water services. The amount of the required deposit will be determined by resolution of the Standish Township Board. This amount will be evaluated and adjusted as needed by resolution of the Standish Township Board.

5.3 SIZE AND INSTALLATION

A. All water service connections from the water main to the meter pit at the right of way shall be 1" K copper or 1" poly tubing SDR-9 with lead-free bronze fittings and will be installed by Standish Township at the expense of the property owner.

B. The service line from the meter pit to the building must be installed by the owner at the owner's expense and must be inspected by the Township, any water loss from the service line will be the responsibility of the owner.

5.4 TURN-ON

No person other than an authorized representative of the Township shall turn on or off any water service to any public or private premises at the connection of the premises to the water main.

5.5 WATER METERS

A. All premises connected to the public water system must be equipped with a water meter, so located that all water entering the premises passes through the meter and be measured as to volume consumed for period computation of water charges.

B. The water meter will be installed in a meter pit located at the road right of way line or within a utility easement.

5.6 OUTDOOR REGISTER

All individual meters must be equipped with an outdoor register, said register to be installed by the Township and charges therefore will be paid for and borne by the water users and customers.

5.7 ESCAPE THROUGH DEFECTIVE PLUMBING PROHIBITED

The escape of water through defective plumbing is prohibited. This shall include knowingly or recklessly permitting defective plumbing to remain out of repair and water to escape. The "plumbing" includes but is not limited to water service lines from the water meter to the curb shut off valve.

SECTION VI CHARGES

6.1 CONNECTION COST CHARGES

All connections to the system will be made by the Township at a reasonable charge. The owner of the premises will pay, in addition to other charges and fees provided herein, in advance of the commencement of such connection, the actual cost to the Township plus a percentage thereof to be determined from time to time by the Township Board. The owner of the premises will pay the cost of a meter or meters installed, all of which must be equipped with an outdoor register. Connection charges may be changed by resolution of the Township Board to reflect changes in connection costs and to maintain a fairly uniform charge within the township.

6.2 TAP-IN-CHARGES

A. Condition of Tap-In-Charges

A Tap-In-Charge is hereby established for the privilege of connecting premises within the Township or which are to be connected to the system, upon which are located buildings or structures, or for which use of water is requested to the water system if the following conditions are met:

1) A direct connection to the system is available to the premises;

Connection and other charges have been paid and the plumbing to be connected has been fully inspected and approved by the Township.

B. MINIMUM TAP-IN-CHARGE

A minimum tap-in charge will be determined periodically by resolution of the Township Board. It will be calculated by taking into the account the following factors;

- 1) Depreciated asset value of the system;
- 2) Anticipated cost of capital improvements to the system over not less than five (5) years nor more than ten (10) years;
- 3) Current and anticipated customer base over the next five (5) to ten (10) years.

C. TAP-IN CHARGE – GENERAL ASSESSMENT DISTRICT

If the premises requesting connection to the Township Water Supply System is currently subject to a general assessment or is located in a general assessment district which has been established for the construction of a public water main, the Tap-In Charge will be the amount of the General Assessment which was established for each parcel of property within the general assessment district when the assessment roll was approved by the Township Board, exclusive of interest. The Tap-In Charge must be paid in full at the time that application for connection is made.

D. TAP-IN CHARGE – MULTI-UNIT COMMERCIAL AND MULTI UNIT RESIDENTIAL

If a premises contains more than one building or structure which is used as a dwelling unit and which constitutes a permitted use under the Township Zoning Ordinance, there will be a one Tap-In fee for the premises based on master meter size. Any meters connected beyond the point of installation of the master meter will be considered to be a Private Water Distribution System and will be the customer's responsibility to maintain. Where Multi Unit Commercial developments contain more than one building or structure and constitute a permitted use under the Township Zoning Ordinance, there will be a one tap-in charge based upon the master meter size. Any meters which are located beyond the point of installation of the master meter will be considered to be part of a private water distribution system and will be the customer's responsibility.

E. TAP-IN CHARGE – RESIDENTIAL DUPLEX (two unit)

The minimum Tap-In Charge will be one and one-half times (1 1/2) the residential charge. The duplex will be required to have two separate water taps and meters.

6.3 OTHER CHARGES

All charges which are required to be paid by the Township to the water supplier for a water service connection will be paid by the customer as a condition to connecting to the Township Water Supply System.

6.4 REVISION OF CHARGES

The connection and Tap-In Charges shall be subject to adjustment by resolution of the Standish Township Board.

SECTION VII RATES FOR WATER SERVICE

The rates for water service are hereby established as follows:

7.1 READY TO SERVE CHARGE

The amounts will be evaluated and adjusted by resolution of the Township Board.

7.2 QUARTERLY WATER CONSUMPTION CHARGE

Water consumption will be charged per 1,000 gallons with a quarterly minimum charge to be determined. The minimum quarterly water consumption charge includes the use of the first 8000 gallons of water and the ready to serve charge. Quarterly consumption charges will be subject to adjustment in an amount equal to the increase in the cost of water which is paid by the Township. These amounts will be subject to adjustment by resolution of the Township Board. (see Standish Schedule of Fees and Charges)

7.3 TOWNSHIP CHARGES

The Township will pay for all water used by it at the foregoing rates, except that for fire hydrant service, there shall be no ready to serve charge or minimum water consumption charge.

7.4 RATE REVISIONS AUTHORIZED

The rates herein before established are estimated to be sufficient to provide for the payment of the expenses of administration and operation of the System and such expenses for the maintenance thereof as may be necessary to preserve the same in good repair

and working order; and to provide for such other expenditures and funds for the System as are required by this provision. Rates will be revised by Township Resolution so as to produce the foregoing amounts, and the Township covenants and agrees to maintain at all times such rates for services furnished by the System as will be sufficient to provide for the foregoing.

7.5 ESTIMATED WATER USE

Water consumption charges will be based on an actual reading. Standish Township however reserves the right to estimate water usage if the meters cannot be read.

SECTION VIII REGULATION

8.1 BILLING

Bills will be rendered quarterly, payable without penalty within fifteen (15) days after the date thereon. Payments received after such period shall bear a penalty of ten percent (10%) of the amount of the bill.

8.2 ENFORCEMENT

The charges for services which are under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, are made a lien on all premises served thereby, unless notice is given that a tenant is responsible, and are hereby recognized to constitute such lien, and whenever any such charge against any piece of property shall be delinquent for six (6) months, the Township official or officials in charge of the collection thereof shall certify annually, on September 1st of each year, to the tax-assessing officer of the Township the facts of such delinquency, whereupon such charge shall be by said officer entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general Township taxes against such premises are collected and the lien thereof enforced. However, where notice is given that a tenant is responsible for such charges and service as provided by Section 21, no further service will be rendered such premises until a cash deposit in the amount of \$150.00 shall have been made as security for payment of such charges and service.

8.3 DISCONTINUATION OF SERVICE

In addition to the foregoing, Standish Township shall have the right to shut off any premises for which charges for water service are more than thirty (30) days delinquent, and such service shall not be re-established until all delinquent charges, penalties, a turn off charge and a turn on charge have been paid. Further, such charges and penalties may be recovered by the Township by court action, including attorney fees and costs.

8.4 TAMPERING PROHIBITED

No person other than an authorized employee or representative of Standish Township may break or injure the seal on or change the location of, alter or interfere in any way with any meter that is property of or has been furnished by Standish Township.

8.5 FAULTY METERING

In the event a meter may fail to register properly, the Township is empowered to estimate the quantity of water used on the basis of former consumption and billed accordingly.

8.6 INSPECTION AND READING

No person may refuse to admit to premises owned or occupied by him or hinder any authorized agent of the Township entering said premises for the purposes of reading a water meter or inspecting a water meter or any piping in connection with the water distribution system.

8.7 DAMAGED METERS OR HYDRANTS

If a water meter or water hydrant is damaged because of any act or negligence on the part of the owner or occupant of the premises where such meter is installed or hydrant is located, the expense to the Township caused thereby will be charged to and collected from such owner or occupant.

8.8 DAMAGED WATER LINES

All repairs to damaged water lines connecting the water main to the curb stop valve, meter, or dwelling unit will be charged to and collected from the owner or occupant.

8.9 USE OF FIRE HYDRANTS

No fire hydrant may be used for any purpose other than for fire protection without the prior approval of the Standish Township.

8.10 PENALTY

Any person, firm or corporation, public or private, or any public agency or instrumentality that receives water service without notifying the Township in writing and without having paid the appropriate charges will be punished by a civil infraction sanction, in addition to being assessed appropriate charges for water service previously received as reasonably estimated by the Township.

8.11 NO FREE SERVICE

No free service may be furnished by said system to any person, firm or corporation, public or private, or to any public agency or instrumentality. When the Township becomes aware of an unauthorized water usage, the operator will disconnect the water line and notify the Standish Township ordinance enforcer. The ordinance enforcer will issue a civil infraction, which will include a fine up to \$500.00 for unauthorized water use. The water cannot be reconnected until all fines and fees are paid in full. The water usage will be estimated back to the time the water service was available, and billed equal to the maximum usage for each year or billing cycle.

8.12 NO RESALE

No resale of water service may be furnished from said system by any person, firm or corporation, public or private, or to any public agency or instrumentality.

SECTION IX FUNDS

Upon receipt of billings and any other receipts, such moneys will be deposited in such funds as may be required by ordinances and resolutions provided by the Township Board for financing of the system and such other funds as the Township Board may deem appropriate. The Township Board hereby creates a fund to be known as "The Standish Township Water Fund".

SECTION X INVESTMENTS

Moneys in any fund or account established by the provisions of this Ordinance may be invested in obligations of the United States of America in the manner and subject to the limitations provided in Act 94, Public Acts of Michigan, 1933, as amended. In the event such investments are made, the securities representing the same shall be kept on deposit with the bank or trust company having on deposit the fund or funds from which such purchase was made. Income received from such investments shall be credited to the fund from which such investments were made.

SECTION XI WATER CONSERVATION

11.1 DETERMINATION OF NEED FOR WATER CONSERVATION

When the Township Supervisor determines that the consumption of water by the Township has or is about to equal or exceed 80% of the total supply being received from the Saginaw Chippewa Indian Tribe of MI, it will declare that a period of water conservation is necessary and the following water uses are restricted as explained during the period of such need for water conservation.