

**TOWNSHIP OF WATERSMEET
GOGEBIC COUNTY, MICHIGAN**

**WATER ORDINANCE – Revision 2
01-21-2015**

The Township of Watersmeet ordains:

ARTICLE 1

DEFINITIONS

- 1.1 Definitions. In the interpretation of this ordinance, the following definitions shall apply unless the context clearly indicates otherwise:
- 1.1.1 **“Backflow”** means water entering a public water supply system from an external source due to reversal of flow.
 - 1.1.2 **“Commercial user”** means a user whose premises are used to offer services and/or products such as, for example, retail and wholesale stores, gasoline stations, restaurants, schools, churches, hotels, motels, nursing homes, private clubs, theaters and governmental buildings.
 - 1.1.3 **“Consumption rate”** means a fixed or variable rate charge payable by a user based on either a metered (variable) water consumption, or a nominal average (fixed) water consumption, or a combination set from time to time by the Township Board. The consumption rate shall be part of the Water User Fee. Defined below.
 - 1.1.4 **“Connection of Service, or “Tap in”** means the establishment of a service line connection to the system for the benefit of providing water service to a premise.
 - 1.1.5 **“County”** means Gogebic County, Michigan.
 - 1.1.6 **“Cross-connection”** means a connection or arrangement of piping or appurtenances through which a backflow could occur.
 - 1.1.7 **“Curb Stop”** means a flow line valve like device that can be opened or closed and is installed by the Township as a means for connection of a service line to the system.
 - 1.1.8 **“Customer”** means any entity that has use of, is connected to or has access to the water system service and is considered liable for the payment for that service. A customer could be any of the following: user, owner, reenter, lessee, a company entity, a government entity, etc.
 - 1.1.9 **“Domestic User”** means a user whose premises are domiciles for single or multiple family uses.
 - 1.1.10 **“Discontinued Service”** means a service line that has been turned off at the system curb stop, or by other means, by written request of the user/owner of the property or by the township due to pending maintenance or delinquent payment of service bill.
 - 1.1.11 **“Disconnection of Service”** means the elimination of a service line by cutting and capping the service line between the system curb stop and the premises building.
 - 1.1.12 **“Industrial user”** means a user who operates a manufacturing or process facility, which is engaged in producing a product.
 - 1.1.13 **“Local Distribution Lines”** means those pipes, which serve only the abutting property within one local service area.
 - 1.1.14 **“Meter Installation Charge”** means the charge for the water meter, meter installation, and necessary inspections.

- 1.1.15 **“Meter Test Charge”** means the charge imposed for the costs of determining the accuracy of the water meter.
- 1.1.16 **“Owner”** means the owner of record of a premise, as reflected in the Watersmeet Township tax roll records or assessment rolls.
- 1.1.17 **“Premises or Premise”** means each building, dwelling unit, apartment unit or property parcel used for human occupancy, employment, recreation, commercial or any other purposes. This includes vacant property parcels that have established service connections adjacent to the property boundary.
- 1.1.18 **“Past Due Penalty Charge”** means the monthly fee that will be charged for any past due balance existing on a user/customer billing account after the posted monthly due date.
- 1.1.19 **Readiness To Serve Fee” (RTS Fee)** means the charge imposed to defray any debt service for capital costs of construction and/or improvements and/or depreciation allocation of the System. This shall be payable by an owner/user/customer regardless whether the service is being used or not or whether service is discontinued or not. This fee, by default, becomes part of the Water User Fee
- 1.1.20 **Secondary Water Supply”** means a water supply system maintained in addition to a public water supply, including but not limited to water systems from ground or surface sources not meeting the requirements of act No. 98 of the Public Acts of 1913, as amended, being Sections 325.210 to 325.214 of the Compiled Laws of 1948.
- 1.1.21 **Service Line”** means the pipe line on the premises, installed and maintained by the user which connects the System, at the curb stop, to the premises (commonly known as “premise lateral line”) in order to establish water service.
- 1.1.22 **“Submerged Inlet”** means a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance, which may contain water of questionable quality, waste or other contaminants and which is unprotected against backflow.
- 1.1.23 **“System” or “water supply system”** means the township water supply and distribution system of piping, pumps, curb stops, valves, meters, water tank and other devices.
- 1.1.24 **“Tap-in Fee or “Connection Charge”** means the charge imposed to defray the cost by the Township to initially provide a connection for a service line to the system, or, to reconnect a service line that was previously removed or disconnected from the system.
- 1.1.25 **“Township”** means Watersmeet Township in Gogebic County, Michigan.
- 1.1.26 **“Township Board”** means Watersmeet Township Board of Trustees of Gogebic County, Michigan.
- 1.1.27 **“Turn on Fee”** means the charge to have the water service turned on for a new connection, or back on for an existing service line that was previously turned off or discontinued due to user/customer request or payment delinquency.
- 1.1.28 **“User”** means the water customer, owner, lessee, renter or live-in occupant of any premises connected to or served by the System.
- 1.1.29 **“User Unit” or “Single User Unit”** means an average amount of water consumption for a single, or one family dwelling or establishment. This consumption amount is determined by the Township.
- 1.1.30 **“Water Connection”** means that part of the water distribution system, generally the system curb stop valve, connecting the System to a service line.
- 1.1.31 **“Water User Fee”** means the current established total monthly charge payable by a customer (owner, user, renter, or lessee) for the provision of the water commodity service. This fee may be fixed or variable or fixed-variable combination charge payable by a user (see Addendum A). This fee may be sent from time to time by the Township Board.

- 1.1.32 **“Water main”** means the primary and intermediate transmission lines (including the local distribution lines) of the water supply system that are exclusively controlled by the Township.
- 1.1.33 **“Water/Sanitary District”** means the area of the Township designated to provide sanitary potable water and/or waste water services to those occupying facilities suitable for receiving service from the System.

ARTICLE II

CONNECTIONS

- 2.1 **Water Connection Required.** The owner of each land parcel p[remise inside the water/sanitary district shall be required to connect to the System if potable water usage on that land parcel is desired, or required, for any reason.
- 2.2 **Connections.** Application for connection to the system shall be made to the Township on forms prescribed and furnished by the Township.
- 2.3 **Tap –in Fee.** There shall be a connection service fee, or “Tap-In-Fee” associated with any application for, and subsequent installation by the Township, of a connection for a service line to the water system. This “Tap-in Fee” shall be established from time to time by the Township Board. This fee shall also be the same for a “reconnect service fee” where there is an application to re-establish a connection of a service line. Water service will not commence until payment in full has been made to the Township for the installation/connection.
- 2.4 **Connection of a service line** to the System and connection/plumbing for a water meter (when applicable) to the service line shall be installed in accordance with the specifications, rules and regulations of the Township and only by Township employees or licensed plumbers. All meters and related water connections shall be the property of the Township.
- 2.5 **Construction/installation/maintenance** of a water service line shall be the responsibility of, performed by, and at the expense of the land parcel owner. Written notice to proceed must be submitted to the Township office prior to the occurrence, but any connection/reconnection of the service line to the system shall be at the convenience of the Township.
- 2.6 **Turn On (or Continuation) of the Water Service.** Written notice shall be given not less than seventy-two (72) hours to the Township by the property owner or user/customer when water service is desired to be turned on. Turn on will not be done on weekends or Holidays.
 - 2.6.1 The Township may not recognize the turn on request if the previous sentence requirements are not met or there is a past due bill balance will outstanding for the premise being served.
 - 2.6.2 It shall be unlawful for any person, other than an authorized employee of the Township, to turn on or off any water service, except that a licensed plumber may, with the prior expressed approval of the Township, turn on water service for testing purposed (it must be turned off immediately following such testing) or upon receiving written order from the Township; providing, that upon written permit from the Township, water may be turned on for construction purposes upon payment to the Township of the charges applicable thereto.
 - 2.6.3 The cost of Turn on of service will be charged to the owner/customer at the time of turn on, or, upon presentation of the next service billing.

- 2.7 **Meters.** Meters may be installed at selected premises at the discretion of the Township. Township reserves the right to determine the size and type of meter to be installed. Meters shall be installed in an accessible location approved by the Township.
- 2.8 **Access to Meters.** The Township shall have the right to shut off water service to any premises where the Township is not able to obtain access to the meter. Any qualified employee of the Township shall, at all reasonable hours, have the right to enter the premises where such meters are installed for the purposes of reading, testing, removing or inspecting the same and no person shall hinder, obstruct, or interfere with such employee in the lawful discharge of such duties.
- 2.9 **Injury to Facilities.** No person, except an employee of the Township in performance of his duties, shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the water supply system. The user/customer shall report to the Township any theft or damage to any meter or any other structure, appurtenance or equipment that is a part of the System at once. There shall be a fine for tampering with a meter or System connection.
- 2.10 **Reimbursement for Damage.** Any cost due to damage resulting from carelessness or neglect of an owner, user, or customer to a meter, structure, connection, appurtenance or equipment which is a part of the System serving a premise shall be paid within thirty (30) days by the owner of the property to the Township upon presentation of a bill. In cases where the bill is not paid, water service may be turned off and shall not be turned on until all such charges have been **paid**.
- 2.11 **Responsibility for Damage.** The Township shall not be responsible for any damages because of failures of the System, or action taken by the Township to correct such failures.
- 2.12 **Water leakage.** It shall be the responsibility of the owner to make arrangements to repair leaks from the service line within seventy-two (72) hours of notice by the Township or an additional fee shall be charged for estimated water loss. Water service may be shut off until the leak is repaired.
- 2.13 **Hydrant use.** No person, except an employee or agent of the Township, in the performance of his duties, shall open or use any fire hydrant without first securing a written permit from the Township and paying such charges as may be prescribed by the Township.
- 2.14 **Unlawful Connections.** No person shall make a connection on a service line between the served building shutoff valve (or water meter connection if applicable) and the local distribution lines (curb stop), or install a by-pass around the meter, except with written approval of the Township.
- 2.15 **Sale by Owner/User/Customer Unlawful.** No person shall sell water or make any connection through which water may pass from one property or premises to another, even if the ownership of the property or premises is the same, except by written approval of the Township.
- 2.16 **Cross-connection Control.** It shall be unlawful for any owner/user/customer to install any cross-connections, except by written authorization of the Township and by the County, pursuant to the requirements of Sections 325.11401 through 325.11407 of the Michigan Administrative Code, as the same may be amended from time to time.
- 2.16.1 **Inspections.** It shall be the duty of the Township to cause inspections to be made of all premises served by the water supply system where cross-connection is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Township.

2.16.2 **Right of Entry.** Representatives of the Township shall have the right to enter at any reasonable time any premises served by the water supply system for the purpose of inspection the piping system or systems, thereof for cross-connections. On request, the owner, lessees or occupants of any premises so served shall furnish to the Township any pertinent information regarding

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the piping system or systems on such property. The refusal of such information or refusal of access, when reasonably requested, shall be deemed evidence of the presence of cross-connections.

2.16.3 The owner must have an approved back flow device inspected by the Township.

2.17 **Replacement of Service Lines by the Owner.** The owner shall pay for all costs associated with the replacement of the service line, i.e., from the curb stop to the meter, if any, or to the building

if no meter has been installed. Such replacement shall remain the responsibility of the owner regardless of whether are occasioned by deterioration of the pipe, damage, or for the convenience of the owner. If replacement constitutes a “reconnection” of a service line that was purposely disconnected earlier by the owner/user, the owner/user shall be liable to pay the established reconnection fee before service is given.

2.18 **Protection of the Water Supply.** The potable water supply made available on the premises Served by the System shall be protected from possible contamination as specified by this ordinance and by the State of Michigan’s and any other applicable plumbing codes. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the water supply system must be labeled in a manner as water unsafe for drinking.

2.19 **Turn Off (or Discontinuance) of Service.** In the event a user/customer/owner of the system desires water service to be Turned Off, or Discontinues, said user shall so request in writing not less than 3 working days prior to the time such discontinuance of service is desired. Turn Off will not be done on weekends or holidays. The Township may not recognize the Turn Off of water service unless the provisions of the foregoing sentences have been fully met. The cost for Turn Off of service will be charged to the user/customer/owner at the actual time the service is continued again (turn on). Additionally, the user/customer/owner shall be responsible for payment of any established minimum “Readiness To Serve” fee during the discontinued service period. The Township may discontinue water service for any violation of any rule, regulation, or condition of service.

2.20 **“Let the Water Run” Service.** No user shall be authorized to “let the water run” in any premises during the winter or summer months unless written permission shall have been received from the Township Board or its duly authorized representative.

2.20.1 1. **Winter**—Before the Township shall issue such permission to “let the water run”, the user shall establish to the satisfaction of the Township that freezing of the water lines in question cannot be prevented by insulation, heat cables, or the application of any other reasonable means. Regardless of whether or not permission has been received for “let the water run” services, the user/customer/owner shall be responsible for the water so used at the rates and charges under this Ordinance.

2.20.2 2. **Summer**—A summer “let the water run” is considered any continuous period of time after a two (2) hour continuous water running period in a twenty-four (24) hour period. Before the Township shall issue such permission to “let the water run” in summer, the user shall establish to the satisfaction of the Township that a need is present for the purpose of enhancing one’s property but **NOT FOR** gardening or recreational uses.

- 2.21 **Multiple Users.** In all cases where a service line is intended to supply more than one tenement, shop, store or building, it shall be the duty of the owner of the premises to install a branch with a stop valve for each branch outside the premises supplied. Each such branch shall be suitably protected and marked as to be easily located.
- 2.22 **Shut Off of Water.** The Township reserves the right at all times, and will endeavor to give due notice to shut off the water at the water mains or local distribution lines to require reduced use or no use of the System for the purposes of making repairs or extensions or for other purposes. All persons having equipment that is dependent upon water from the System are hereby cautioned against danger that might arise from emergency shutting off of water. In the event of such an emergency, the Township may designate in any notice the extent of any regulation, limitation or prohibition and the date and time on which it shall take effect.
- 2.23 **Additional Regulations.** The Township Board may make and issue additional rules and regulations concerning the water supply systems, connections thereto, meter installations and maintenance, connection and meter installation fees, hydrants and water mains and the appurtenances thereto, not inconsistent herewith.
- 2.24 **Other Laws.** In the event that any laws of the State of Michigan shall impose greater restrictions that herein set forth, those laws shall control.

ARTICLE III

LIMITATIONS

- 3.1 **Limitation of Water Use.** The Township Board may regulate, limit or prohibit the use of water for any purpose. Such regulations shall restrict less essential water uses to the extent deemed necessary to assure an adequate supply for essential domestic and commercial needs and for firefighting. No such regulation, limitation or prohibition shall be effective until twenty-four (24) hours after the publication thereof in a newspaper of general circulation in the local area, except in an emergency as may be determined by the Township. In case of an emergency the regulation, limitation or prohibition shall be and take effect as indicated, and notice shall be given of such emergency as soon as reasonably possible and given in a manner to reasonably inform the public.

ARTICLE IV

WATER RATES, FEES AND CHARGES

- 4.1 **Applicability.** The users of the System shall pay rates, fees and charges as set for in **ADDENDUM A** of this ordinance. The rates, fees and charges shall be designed to produce revenues that are proportionate to the cost of providing water service to the users of the System. Such cost shall include but not be limited to the cost of construction, improvement, operation, maintenance, replacement, depreciation, debt service, administration and a rate of

return on the System's investment. No free water service shall be furnished to any premises, contractor or commercial establishment.

4.2 **Water User Fee.** A Water User Fee, as set forth in Addendum A, shall be payable by every user of the System that has established "turn on" or continuance of water service in the service line. The Water User Fee shall be established by the Township Board from time to time. The Water User Fee shall be defined for a single (or one) user unit and may be based on all, or a combination of, the following:

4.2.1 remaining debt service applicable to the construction, improvement, operation, maintenance or replacement of the system or parts thereof, and/or

4.2.2 an established depreciation amount relating to all or part of the system, and/or

4.2.3 an established reserve amount to be designated for future maintenance/improvements, and/or

4.2.4 an established amount for administration costs and/or

4.2.5 an established water consumption rate based on either (a) a flat rate only in the event meter readings are not used, or (b), based on a minimum flat rate plus a variable rate that is determined by a water meter unit reading multiplied by a cost per meter unit.

4.2.6 CURRENT FIXED FEE (UNMETERED) CHARGES ARE AS FOLLOWS:

1. An average household is considered to use 4200 gallons of water per month. This is considered as one (1) unit of usage. It is assumed the same amount enters the household sewer to be processed. The total combined fee for one unit of usage=\$60.00/month.
2. The current water usage fee for one unit of usage=\$39.00/month, or $39/69=56.5\%$ of the total.
3. The current waste water usage fee for one unit=\$30.00/month, or $30/69=43.5\%$ of the total.
4. The monthly water and sewer fixed fees are further broken down into the following categories: WATER MAINTENANCE=\$16.00 or $16/39=41\%$. Water Bond=\$22.00 or $22/39=56.4\%$. Water Reserve=\$1.00 or $1/39=2.6\%$.
5. Sewer Maintenance=\$18.00 or $18/30=60\%$. Sewer Bond = \$8.00 or $8/30=26.7\%$. Sewer Reserve=\$4.00 or $4/30=13.3\%$.

4.2.6a METERED FEES

1. There will be a minimum fee of \$69.00 for up to 4200 gal. of water usage. For water usage over 4200 gallons, the rate will be \$16.43 per 1,000 gallons. The percentage break downs listed above will be the same.

Example:

Monthly meter reading results in a recorded usage of 22,000 gallons.

22,000 gal. at 16.43/1000 gal. = \$361.46. Using the percentage breakdown in 4.2.6 #2 above, the water fee would be $\$361.46 \times 56.5\% = \204.23 . Using the percentage breakdown in 4.2.6 #3 above, waste water fee would be $\$361.46 \times 43.5\% = \157.23 . For book keeping purposes these monies will be broken down and allotted to the different accounts using the percentage breakdown in 4.2.6 #4 and #5 listed above.

2. Commercial metered accounts will have a minimum charge of \$69.00 for up to 4200 gallons of water usage. For water usage over 4200 gallons, the rate will be 8.22 per 1,000. gallons.

4.3 **User Units.** When the Water User Fee is established using only the flat rate charge for water Consumption, that flat rate charge is based on an average monthly consumption rate for a single family establishment as determined by the Township from time to time. This establishes a

“single user unit”. Also, the Township may determine from time to time users (commercial or otherwise) that are consuming over and above the single user amount, or unit, on a continuing bases. In these cases, the Township shall establish “multiple user units” to be applied to each such premises or establishment, determined on an individual bases. This, then, would result in a multiple of the Water User Fee for monthly billing to be paid by that particular user.

- 4.4 **Tap-in Fee.** The user shall pay a Tap-in Fee when a system service connection is requested and made available by the Township (see Addendum A). This charge shall be paid to the Township in full, or a satisfactory installment payment arrangement made with the Township, prior to any service turn on being established.
- 4.4.1 If there is an installment arrangement, the maximum time to pay in full shall not exceed six (6) billing periods (months). A past due penalty charge shall apply to any unpaid balance in a billing period.
- 4.4.2 The total Tap-in Fee may vary depending on location of requested service and geographic conditions. Addendum A lists the minimum amount to be charged.
- 4.5 **Meter Test Fee.** Where applicable, a meter test fee shall be charged to the person (user account) requesting a meter test. This fee may have a minimum payable and be changed by the Township Board from time to time. See Appendix A.
- 4.6 **Review of Rates and Charges.** The Township Board shall annually review the rates, fees and charges. A report of the System shall be prepared by the Township clerk prior to May 1st each year, and presented to the Township Board recommending rates and charges to assure that all cost of the System will be recovered from users of the System. (see Appendix A – rates, fees and charges)
- 4.7 **Billing, Penalties, Remedies and Responsibilities for Nonpayment or Late Payment.**
- 4.7.1 **Responsibility.** The owner of any land parcel premise receiving water service is ultimately responsible for any nonpayment or late payment of water service fees or charges. Any user on the land parcel which is being serviced (other than the land parcel owner) may be jointly liable for service fee nonpayment or late payment depending on the agreement between owner and user in this case. However, the land parcel owner, in the end, will be deemed totally responsible by the Township.
- 4.7.2 **Billing Period.** The current billing period is considered the current calendar month. The current billing period will reflect the service and fees for the previous calendar month of service.
- 4.7.3 **Billings to Users.** Billings for rates, fees and charges as herein established shall be mailed to all users monthly. The new monthly billing shall show a balance due that reflects the water service provided and other charges applicable from the previous calendar month. In addition, the balance due shall include all past due rates, fees and charges and applicable past due penalty charges. The balance due date shall be presented on each billing.
- 4.7.4 **Billing Payments.** All bills shall be payable by the due date specified on the current monthly billing and are payable to Watersmeet Township.
- 4.7.5 **Past Due penalty Charge.** A “past due penalty charge” will be assessed (see Addendum A) if any bill is not paid by the stated due date. The charge shall be applied to the current past due account balance and collected therewith. Penalty charges will be compounded. Past Due, or delinquent, is considered the time period after the posted due date on any previous billings

before the current months billing. The Past Due Penalty Charge shall not be prorated. This charge amount may be changed by the Township Board from time to time.

4.7.6 Delinquent Bill Collection. Delinquent bills may be collected by any method authorized by the law including, without limitation, making such amounts due to be a lien on the premises served property taxes.

4.7.7 Forced Discontinued Service. Water service may be discontinued (shut off) to any premises by

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Township to enforce the payment of delinquent rates, fees and charges. A user may be given the opportunity for review by the Township clerk or designated representative to show cause why service should not be discontinued. Services so discontinued shall not be restored until such time as all the rates, fees, charges and penalties are paid or satisfactory arrangements made for the payment, thereof. (see the latest revision of the Township's Delinquent Utility Shutoff Policy).

4.8 Secured Lien Authority. It is the intention of this Ordinance to fully incorporate herein the Municipal Water and Sewer Lines Act, Public Act 178 of 1939, MCL 123.161 et seq. It is intended by the Township that the supply of water under this Ordinance shall be secured by a lien upon the premises to which water is supplied. Said lien shall become effective immediately upon the distribution of water to the premises, but shall not be enforceable for more than five years after it becomes effective. The lien created may be enforced by the township by the general laws of this state providing for the enforcement of tax liens and/or under the provisions of this Ordinance. The lien created hereunder shall have priority over all other liens except taxes or special assessments whether or not the other liens accrued or were recorded before the accrual of the lien created by this Ordinance.

4.8.1 Delinquent Bill Liens. As determined by the Township, any delinquent rates, fees or charges Remaining unpaid, shall be charged against the real property on which the service was rendered,

And may be spread on the next regular Township ad valorem property tax roll after the date on which such charge shall become due and payable, and shall become a lien of the same character

and effect as the lien created by the State of Michigan and the County regarding ad valorem property taxes, until paid.

4.9 Failure of the System. There shall be no reduction in water rates or changes in case of failure of the water supply system regardless of the reason for the failure.

4.10 Meter Accuracy. A user may request a meter test and depending on the results thereof, the following shall apply.

4.10.1 If the meter registers more than 3% over the actual flow, the meter will be replaced or repaired, the test charge will be refunded and the bill will be reduced.

4.10.2 If the meter registers 5% under the actual flow to 3% over the actual flow, the meter is considered correct and no adjustment or refunds will be made.

4.10.3 If the meter registers more than the 5% under the actual flow, the meter will be repaired or replaced and the bill will be adjusted based on estimated usage.

4.11 Service Turn-On Fee. A fee shall be billed to the user/owner that has water service continued

(turned on) after having been previously discontinued or turned off at the user/owner's request or by the Township for bill payment delinquency. Said charge shall be established by the Township Board from time to time. Reference Addendum A.

- 4.12 **Hydrant Rental.** For water used through fire hydrants and for the availability of such water and for the general fire protection furnished by the Township and its' inhabitants, the Township shall pay a monthly fee of \$100 which may be modified by the Township board as the needs arise from time to time.
- 4.13 **Deposits.** Any user or owner who has at any time failed to make timely payment for water service said owner and/or user may be required to deposit a sum with the Township Clerk as may be set by the Township Board from time to time. Said deposit is intended to insure payment for water service. Upon termination of service, the deposit less any unpaid water service fees and charges shall be refunded to the owner/user. For purposed of this section only, "timely" shall mean any payment made between the date of billing and 30 days after the due date.
- 4.14 **Other Charges.** The Township Board shall establish, from time to time, all other charges, including, but not limited to, tap-in fee, turn on fee, past due penalty charge, meter installation charge and readiness to serve fee.

ARTICLE V

WATER DISTRIBUTION LINES

- 5.1 **Charges for new Water Distribution Lines.** When there is a request for system service in local Areas that are currently outside of what is considered the "water district, i.e., areas that do not have system distribution lines serving the area, the customer or developer will be responsible for all costs of construction, materials and engineering design for new water distribution lines and the construction and materials must be reviewed by the Township.

ARTICLE VI

ENFORCEMENT

- 6.1 **Penalties for Violation or Ordinance.** Any user/customer/owner that violates or fails to comply With any portion of this ordinance shall be guilty of a misdemeanor and fined up to \$500 and/or imprisoned not more than 90 days. A separate offense shall be deemed committed for each day during which a violation or noncompliance occurs or continues. The County Sheriff or his deputies, or any other law enforcement officers may issue appearance citations for violations of this ordinance.
- 6.2 **Civil Action.** The Township may institute any action at law or equity to compel compliance with

including This ordinance or to collect amounts due under this ordinance. If such action is instituted the Township shall recover the costs and expenses incurred to bring and maintain the action

Without limitation, actual reasonable attorney's fees.

- 6.3 **Lien.** All rates, fees and charges billed or due hereunder including those due pursuant to section 6.2 hereof shall, to the extent permitted by law, be liens upon the premises served by the water Supply system, which shall be enforceable in the same manner as ad valorem property tax liens.

ARTICLE VII

ENFORCEMENT

- 7.1 This ordinance shall take effect thirty (30) days after its publication in a newspaper of general Circulation in Gogebic County, Michigan.
- 7.2 The Township Clerk shall publish the ordinance in a newspaper of general circulation in Gogebic County, Michigan.
- 7.3 The Township reserves the right⁵ to amend, revise, repeal or supplement this ordinance.
- 7.4 Any ordinance or resolution or parts of same conflicting with this ordinance are hereby repealed.
- 7.5 Each section of this ordinance, and every paragraph of each section are hereby declared to be separable and the holding of any section or paragraph thereof to be void, ineffective or unconstitutional for any cause shall not affect any other section or part thereof.
- 7.6 This ordinance and all addendums replace any pre-existing ordinances pertaining to the water System that had been in effect up to the date of the ratification of the new ordinance by the Watersmeet Township Board.

X

Mike Rogers
Township Supervisor

X

Sandra Mansfield
Township Clerk

I Sandra Mansfield, township Clerk of Watersmeet Township, certify that the Watersmeet Township Board adopted the foregoing ordinance in public session held on September 17, 2014.

Dated: _____

Sandra Mansfield, Township Clerk

I, Sandra Mansfield, Township Clerk of Watersmeet Township certify that this ordinance was published in the Ironwood Daily Glove on September 23, 2014.

Dated: _____

Sandra Mansfield, Township Clerk

Document Revision Log

Effective Date

Original (ordinance no. 08-03-01)

August 20, 2003

Revision 1

September 20, 2012

Revision 2

September 17, 2014