

ORDINANCE 060491-2

CHARTER TOWNSHIP OF MARQUETTE WATER DISTRIBUTION SYSTEM ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE OPERATION, MAINTENANCE, EXPANSION AND FINANCING OF THE WATER SYSTEM WITHIN THE CHARTER TOWNSHIP OF MARQUETTE, FOR THE ESTABLISHMENT OF FEES AND RATES THEREFORE, AND FOR AMENDMENT OF THIS ORDINANCE, IN THE INTEREST OF THE HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE CHARTER TOWNSHIP OF MARQUETTE.

THE CHARTER TOWNSHIP OF MARQUETTE ORDAINS:

PART ONE: GENERAL PROVISIONS.

SECTION 1. Authority.

This Ordinance is adopted in accordance with the powers vested in Marquette Township pursuant to the Revenue Bond Act, Act 94 P.A. 1933, the Michigan Public Health Code, Act 368 P.A. 1978, and the general ordinance powers of the Charter Township, MCLA 41.181 et. seq.

SECTION 2. Purpose.

It is the purpose of this Ordinance to provide all applicable ordinance provisions regarding the water system in the Charter Township of Marquette in the interests of the public health, safety, and welfare.

SECTION 3. Short Title.

This Ordinance shall be known and may be cited as the Charter Township of Marquette Water Distribution System Ordinance.

SECTION 4. Definitions.

1. **Administrator** is defined in Part Two, Section 2 of this Ordinance.
2. **Backflow** means water of questionable quality, waste or other contaminates entering a public water supply system due to a reversal of flow.
3. **Board** means the elected governing body of the Charter Township of Marquette.
4. **City** means City of Marquette.
5. **Commercial** means any User classified as commercial under the Township Zoning Ordinance.
6. **Contaminate** means a physical, chemical, biological or radiological substance or matter in water.
7. **Cross Connection** means a connection or arrangement of piping or appurtenances through which a backflow could occur.

8. **Department** means the Marquette County Department of Public Health.
9. **Industrial** means any User classified as industrial under the Township Zoning Ordinance.
10. **Manager** shall mean the Marquette Township Manager.
11. **Design Standards** shall mean the Ten State Standards and Township Public Works Department Standards.
12. **Person** means an individual, partnership, firm, association, corporation, any governmental subdivision or agency, or any other legal entity, or their legal representative, agent or assigns.
13. **Plans and Specifications** shall mean a true description or representation of the water mains and appurtenances thereof to be constructed, and shall include a location map and a legal description of the easements wherein the water mains are to be constructed and a survey drawing prepared by a registered land surveyor showing the location of the improvements.
14. **Public Water System** shall mean a system of pipes, conduits, fire hydrants and appurtenances owned, operated, or controlled by the Township through which water is obtained and distributed.
15. **State Drinking Water Standards** means quality standards setting limits for contaminant levels or establishing treatment techniques to meet state standards necessary to protect public health.
16. **System** means the Public Water System within the Charter Township of Marquette.
17. **Township** means the Charter Township of Marquette.
18. **Township Utility Department Standards** shall mean the Standard Water Main and Sanitary Sewer Construction Specifications.
19. **User** means any person who is connected to the Township Water System.
20. **User Charge** means a charge levied on Users for the cost of operation and maintenance of the system including the cost of replacement and/or improvement of the system and debt service.

PART TWO: ADMINISTRATION.

SECTION 1. Powers of the Board.

The Board shall determine or supervise all aspects of administration in accordance with the provisions of this Ordinance. The Board may employ or contract with such persons as it deems necessary to fulfill the needs or duties arising from the provisions of this Ordinance.

SECTION 2. Administrator.

The Township Board shall appoint an Administrator to implement this Ordinance. Duties shall include the receipt of plans and permit requests and the determination of permit grant or denial.

SECTION 3. Variances/Exceptions.

The Administrator shall administer and enforce all provisions of this Ordinance and shall not waive any provision or make any exceptions to the requirements contained herein. If it is determined that a proposal fails to meet the requirements of this Ordinance, the person making the proposal may request a variance from this Ordinance. All variance requests shall be heard and determined by the Township Board. No variances may be granted which would violate any provision of the Michigan Public Health Code or Safe Drinking Water Act or the regulations promulgated thereunder.

SECTION 4. Variance Procedure.

In the event of a variance request, a public hearing shall be held by the Board to determine the merits of the variance request. Notice shall be published in a newspaper of general circulation at least ten days prior to the public hearing. Notice shall contain the date, time and place of the meeting, a description of the property involved and of the request. All decisions of the Board shall be final. The provisions in this section are subject to the provisions for disconnection and emergency situations which shall have precedence over the variance procedure set out herein. A request for variance shall not stay disconnection or other emergency measures undertaken by the Township.

PART THREE: SYSTEM CONNECTIONS AND PERMITS.

SECTION 1. Permits Required.

Before any Township permit may be issued or work commenced toward any alteration or modification of the Public Water System, the person making the proposal shall obtain either written approval for the proposal from the Administrator, or a written statement that the proposal has been reviewed by the Administrator and does not require his approval under law.

There are hereby established two Township permits to be known as:

1. **Water Connection Permit** for tapping a building service line into the Public Water System.
2. **Water Construction Permit** for constructing extensions to the Public Water System.

SECTION 2. Water Construction Permit Requirements.

- 2.1 Design Standards are adopted by the Township Board to provide a reasonable and proper basis for the design and construction of engineering improvements in Marquette Township. They are written for engineers and applicants, and provide procedures and criteria for water system improvements.

Design Standards are minimum requirements for the promotion and preservation of public health, safety and the general welfare of the Township. These standards are not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or ordinances of the Township nor conflict with any statutes of the State of Michigan or Marquette County ordinances except that these standards impose a greater restriction than is provided by existing statutes, laws, or regulations.

- 2.2 An application for a permit shall be accompanied by plans and specifications for the work, a site plan, a location map and a survey drawing. Plans and specifications shall conform to design standards. All plans for system improvements, alterations or modifications and all site plans shall be submitted on 24-inch by 36-inch white prints having blue or black lines, and shall be neatly and accurately prepared and contain, at a minimum, the following information:

- a. Title block showing name and description of property; registered land surveyor or engineer drawn by: Date, scale, etc.
- b. North arrow.
- c. Bench marks (USGS datum).
- d. Engineer's stamp or seal.
- e. Existing contour lines.
- f. Proposed contour lines.
- g. Off-site elevations (100 feet on each side of parcel).
- h. Existing utilities – proposed future utilities.
- i. Street names and R.O.W. width.
- j. Easements.
- k. Lot numbers and dimensions of acreage or tract.
- l. Stationing.
- m. Names of adjacent plat or subdivisions.
- n. Tie from nearest cross street or section corner.
- o. Location of proposed building on property.
- p. Sewer and water services (location, inverts, and size).
- q. Location and elevations of ditches, culverts, and county drains.

- 2.3 Easements shall be prepared by the applicant and granted to the Township when required by the Administrator. Minimum requirements are as follows:
- a. All public utilities require easements.
 - b. Minimum width shall be 20 feet.
 - c. Utilities in easements shall be at least two (2) feet from side or rear lot lines.
 - d. Developments traversed by a water course or containing a water area shall provide a storm drain easement or other means of access for public maintenance of flow.
 - e. Public walkway easements, not less than 10 feet wide, shall be provided and constructed where requested.
 - f. Easements shall be prepared by a registered land surveyor and shall include both a metes and bounds description and a survey drawing.
- 2.4 As-built plans shall be submitted upon completion of the development and be certified by a licensed engineer or land surveyor.

SECTION 3. Water Connection Permit.

- 3.1 **Service Line.** An applicant for water service shall furnish, lay and install at his expense all that portion of the service not provided by the Township, subject to supervision and inspection by the Township. The fee for such inspection is set forth in Part Five of this Ordinance.
- 3.2 **Water Connection.** No person shall, without first securing a permit from the Administrator, tap any water main or distribution pipe of the water system, or insert therein any corporation cock, stop cock, or any other fixture or appliance, or alter or disturb any service pipe, corporation stop, curb stop, gate valve, hydrant, water meter or any other attachment of the system; nor install any water service pipe or connect or disconnect any service pipe with the water mains or distribution pipes of the system, or with any other service pipe connected with the system; nor make any repairs, additions to, or alteration of any service pipe tap, stop kick, or any other attachment connected with any service pipe, or connect to the system after having been disconnected.
- 3.3 **Sub-connection.** The owner or occupant of any building or premises entitled to use of water from the system, shall not supply water to any other building, structure, or property, except upon written permission from the Board.
- 3.4 **Disconnection.** Premises may be disconnected from the distribution pipes of the water system and the supply of water withheld from such premises upon violation by the owner or occupant of any provision of this Ordinance, violation of any provision of the Ordinance for wastewater or wastewater collection, or violation of any rule or regulation of the Board. A disconnect fee shall be imposed as set forth in Part Five of this Ordinance.
- 3.5 **Turn-on Charge.** Whenever water service for any premises has been turned off because of any violation, water service shall not be turned on again until the owner or occupant shall have paid to the Township a turn-on charge as set forth in Part Five of this Ordinance.
- 3.6 **Reconnect and Voluntary Disconnect Fees.** If a customer desires to voluntarily disconnect from the water system, the customer shall pay a fee for a temporary shut off and also a fee for a turn-on. These fees are set forth in Part Five of this Ordinance.

SECTION 4. Water Construction Permit.

4.1 The construction of any main which is designed or intended to serve a fire hydrant, sprinkler system, or one or more separate buildings, dwellings or mobile homes, by connection to the public water system, shall not be constructed by any person before filing with the Administrator the plans and specifications therefore, and obtaining from the Administrator a permit for such construction.

Any person, or the agent of any person, applying for such a permit shall file with the Administrator an application therefore on a form furnished by the Administrator giving:

- a. The name, address, and telephone number of each contractor who will be involved in construction of the improvement;
- b. The correct names and addresses of all owners of land, and a legal description of the respective parcels wherein the improvement is to be made;
- c. Evidence that all permits as required by law have been or will be issued;
- d. The plans and specification for the improvement;
- e. The estimated cost of the work set forth in the plans as estimated by the engineer preparing the plan;
- f. The appropriate fees as set forth in Part Five of this Ordinance;
- g. Other information deemed necessary by the Administrator.

4.2 **Submittal Requirements.** All water main plans and profiles shall be submitted on 24-inch by 36-inch white prints having blue or black lines, and shall be neatly accurately prepared by a registered engineer and contain, at a minimum, the following information:

- a. Water main location and type.
- b. Cover (minimum of 6 feet).
- c. Bedding (Class "B" minimum).
- d. Compaction of trenches across roadways, driveways, sidewalks, and parking lots (Class II granular backfill at 95% compaction).
- e. Hydrant locations.
- f. Gate valve and well locations.
- g. Existing utilities on profile, crossing proposed water main.

The applicant shall submit five (5) sets of final plans and specifications to the Administrator. The Administrator will insure proper submittal to the Michigan Department of Public Health for its issuance of a construction permit.

4.3 **Design Standards.** Water mains shall be designed according to Ten State Standards and Township Public Works Department Standards.

SECTION 5. General Provisions – Water.

5.1 **Opening Curb Valve.** No person shall turn on the water from any main or distribution pipe into any service pipe without a permit in writing from the Administrator.

- 5.2 **Inspection.** All service pipes and connections to the water system shall be inspected by the Administrator before being covered or backfilled. No water service shall be turned on for any premises until inspection and approval of the installation by the Administrator or his authorized representative.
- 5.3 **Stoppage.** The Township shall not be liable under any circumstances for any failure or deficiency in the supply of water to any person.
- 5.4 **Water Meters.** The cost of repair for damage to a water meter installed upon any premises shall be charged to the building owner or tenant. Water consumers shall not tamper with or remove a meter from service, or interfere with the reading thereof by Township personnel.
- 5.5 **Access to Premises.** The Township shall have the right at all reasonable hours to enter upon premises where water is furnished, to read meters or inspect pipes and fixtures connected with the water system, and it shall have the right to require any defective pipes or fixtures to be repaired, removed or replaced, and any person refusing or neglecting to make such repairs when so ordered within the time specified, shall be deemed guilty of a violation of this Ordinance.
- 5.6 **Water Use Restriction.** The restrictions on the use of water for sprinkling lawns, gardens, swimming pools, car washing and similar non-essential uses, and the hours of such may be prescribed from time to time by the Administrator when conditions warrant. A notice of such restriction shall be published in a newspaper of general circulation. No water shall be used in violation of such determination.
- 5.7 **Private Fire Protection Systems.** The properties of manufacturing institution, lumber yards, warehouses, elevators, stores, hotels, schools and other public buildings wishing to install large pipes with hydrant, hose couplings, and/or sprinkler heads, to be used in case of fire, will be permitted to connect with the street main at their own expense, upon application to the Administrator and under his direction and supervision.
- 5.8 **Meter Installation and Account.** Each separate meter installation shall be considered for purposes of the rate schedules as a separate customer account.
- 5.9 **Protection from Damage.** No person shall maliciously, willfully, negligently break, damage, destroy, uncover, deface, tamper or interfere with the operation of any structure, appurtenance, or equipment which is a part of the Public Water System.
- 5.10 **Inspectors.** The Administrator and other duly authorized employees of the Township bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Ordinance.
- 5.11 **Fire Hydrants.** No person shall place anything in, on, or around any public fire hydrant which is part of the system. This section shall also prohibit any person from committing any act which will render a public fire hydrant inaccessible, such as plowing or piling snow against, around, or over a public fire hydrant.
- 5.12 **Introduction of Materials.** No person shall introduce any material of any kind, whether solid, liquid, or gaseous, into the Public Water System.

PART FOUR:
CROSS CONNECTIONS/INSPECTIONS/VIOLATIONS/PENALTIES

SECTION 1: Inspections.

It shall be the duty of the Administrator to cause inspections to be made of all properties served by the Public Water System. The frequency of inspections and re-inspections based on potential health hazards shall be established by the Administrator.

SECTION 2: Entry Into Premises.

The Administrator or his representatives shall have the right to enter at any reasonable time any property served by a connection to the Public Water System for the purpose of inspecting the piping systems thereof for cross connections. On request, the owner, the lessees or occupants of any property so served shall furnish to the Administrator any pertinent information regarding the piping system or systems on such property. The refusal to furnish such information regarding the service or refusal of access, when requested, shall be deemed evidence of the presence of a cross connection.

SECTION 3. Disconnection.

The Administrator is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of Public Act 399, 1976 or of this Ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public system. Service to such property shall not be restored until the violation has been eliminated in compliance with the provisions of this Ordinance.

SECTION 4. Contamination.

The potable water supply made available to properties served by the Public Water System shall be protected from possible contamination as specified by this Ordinance and by the State Plumbing Code. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as: WATER UNSAFE FOR DRINKING.

SECTION 5. State Plumbing Code.

This Ordinance does not supersede the State Plumbing Code but is supplemental to it.

SECTION 6. Cross Connection.

The Township adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Public Health, being R 325.431 and R 325.440 of the Michigan Administrative Code and said rules are incorporated herein by reference and are made a part of this Ordinance.

SECTION 7. Penalties and Enforcement.

Any violation of the provisions of this Ordinance shall result in Township action to request that the violation be discontinued or corrective measures be undertaken to cease violation, or the Township itself may take such action as necessary to protect the integrity of the system and the public health. The Township may take whatever civil or criminal action, or both, as it deems necessary to enforce this Ordinance including suit of damages. Any violation of any provision of this Ordinance constitutes a misdemeanor, punishable by a fine not to exceed \$500 a day for

each day in violation or confinement in the Marquette County Jail for a period not to exceed 90 days, or by both such fine and imprisonment.

SECTION 8. Violation Procedure.

Any person found to be violating any provision of Part Four of this Ordinance shall be served by the Township with written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the time stated in such notice, permanently cease all violations.

PART FIVE: SYSTEM CHARGES AND RATES.

SECTION 1. Establishment of Rates and Charges.

The rates and charges established for Users of the Public Water System are based upon the Township's best estimate of the proportionate cost of providing the services to different types of Users. The Board shall review all rates and charges at least once every two years to assure that all contractual payments and fund requirements shall be met and that the rates and charges remain in proportion to the costs of providing services to different types of Users of the system.

SECTION 2. Equivalent Use Factors.

2.1 The Township Does Hereby Adopt a Table of Equivalent Use Factors. This table may be modified or amended from time to time by resolution of the Board. This table is located in Schedule A of this Ordinance.

2.2 Rules for Interpreting Table.

- a. The minimum equivalent use factor for a commercial or industrial User is 1.0 unit.
- b. Equivalent units not covered by the Table of Equivalent Factors shall be established by resolution of the Township Board.
- c. Where multiple businesses exist at one location, the various businesses may be combined for determining the equivalent units of such location, depending upon equivalent User formulas.

2.3 Revision or Modification of Equivalent Use Factors.

- a. **Annual Review of the Equivalent Units of Users Having an Equivalent Unit Factor of More Than One.** Users shall be reviewed by the Township at least once every two years, unless the equivalent unit factor of such User is changed by resolution of the Board prior to the commencement of the system's fiscal year.
- b. **Annual Review of Industrial Users with Meters.** Where the industrial User has been required by this Ordinance to install a meter in the absence of metered municipal water supply to register flow, the equivalent unit factor for purposes of determining the service charge of such User shall be reviewed and adjusted yearly to assure that the equivalent unit factor assigned said User is accurate.

SECTION 3. System Fees, Charges and Rates.

3.1 Connection Permit Fee (Tap-in Fee).

- a. **Single-Family Dwellings.** The connection charge for a single family dwelling connecting to the system is set forth in Schedule A of this Ordinance.
- b. **All Other Properties or Units.** The connection permit fee for all other property owners connecting to the system, including but not limited to, single-family residential units with home occupancy privileges, multiple-family residential units, commercial and industrial units shall be as follows: Number of equivalent Users derived from Equivalent User Factor Table multiplied by the appropriate tap-in fee as set forth by II A. (2) of Schedule A = connection permit fee provided, however, that the minimum connection permit fee shall be same as the single-family dwelling connection permit fee.

- 3.2 Lateral Benefit Charge.** A lateral benefit charge for property abutting or benefiting from the Public Water System shall be paid for any premises making a direct connection to any public water line of the system. The benefit charge is set forth on Schedule A of this Ordinance.
- 3.3 Expansion or Change Charge.** There shall be paid on behalf of each premises connected to the system, at time of any change or expansion of use, for any change of use of any non-single family residence premises, the sum of the single-family dwelling connection permit fee multiplied by the appropriate factor provided for in the equivalent Use Factor Table in Schedule A.
- 3.4 Construction Permit Fees.**
- a. **Review Fee.** A fee equal to 2% of the estimated cost of the improvement will be paid at the time of initial plan submittal as outlined in Part Three, Sections 4.1, 4.2, and 4.3 of this Ordinance.
 - b. **Inspection Fee.** The fee as set forth in Schedule A of this Ordinance will be paid prior to the issuance of a construction permit by the Administrator.
- 3.5 Service Charges.** Those charges set forth in Schedule A at subparagraph IV will be billed periodically in accordance with this Ordinance and are separate from, and in addition to, the User charges. The specific charge is set forth in Schedule A of this Ordinance.
- 3.6 Water Use Charges.** There shall be charged to all premises connected to the system for water service a monthly fixed service charge, based upon meter size and water consumption as set forth in Schedule A of this Ordinance.

SECTION 4. Billing Procedure.

All billings shall be rendered monthly and shall be due on the 20th day of the month during the month the bills are sent out. A 5% late payment charge shall be assessed for every bill paid after the due date.

SECTION 5. Enforcement and Property Liens.

All fees or charges which under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended (The Revenue Bond Act of 1933) may be a lien on all premises served thereby are hereby declared to be a lien upon all such premises served, and those charges delinquent for six (6) months or more shall be certified annually, on November 15 of each year, by the Township Treasurer or Deputy Treasurer to the Township Tax Assessor, whereupon the lien shall be entered upon the next tax roll by the Tax Assessor, against the premises to which the services shall have been rendered, and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the roll and the enforcement of the lien for the taxes.

In addition to the foregoing, the Township shall have the right to shut off water and/or sewer service to any premises for which charges for water service are more than thirty (30) days delinquent, and any such service shut off shall not be restored until all delinquent charges and penalties and a turn-on charge, as set forth in Schedule A, have been paid. The enforcement of payment of delinquent water and sewer bills by shutting off service as hereinabove provided shall be in addition to any other enforcement methods which the Township may have, shall be cumulative thereto, and may be pursued by the Township in addition to any other legal or equitable remedies which the Township may have to collect the debt or to require compliance with this Ordinance.

PART SIX: FINANCING OF THE SYSTEM.

SECTION 1: Fiscal Year.

The water system shall be operated on the basis of a fiscal year that coincides with the Township's fiscal year.

SECTION 2. Receiving Fund.

There is hereby established a Marquette Township Water System Receiving Fund into which all revenues of the system, after being set aside as collected, shall be deposited. Funds shall be deposited and shall be transferred from the Receiving Fund only in accordance with Sections 3 and 4 of this part.

SECTION 3. All Other Funds.

The following five funds are hereby established which shall be funded by the Receiving Fund established in Section 2 in the manner and at all times specified in this Section.

a. Operation and Maintenance Fund.

Out of the revenues in the Receiving Fund there shall be first set aside at least quarterly and paid into a depository account, designated OPERATION AND MAINTENANCE FUND, a sum sufficient to provide for the payment of the current expenses of administration and operation of the system and such current expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order. If any revenues are borrowed from any of the mentioned funds in this Ordinance to pay any operation, maintenance and replacement charges an appropriate action will be taken to prevent a reoccurrence.

b. Contract Payment Fund.

There shall be established and maintained a depository account to be designated CONTRACT PAYMENT FUND, which shall be used solely for the payment of the Township's obligations to the County of Marquette. There shall be deposited in said fund at least quarterly, after requirements of the Operation and Maintenance Fund have been met, such sums as shall be necessary to pay said contractual obligations when due. Should the revenues of the system prove insufficient for this purpose, such revenues may be supplemented by any other funds of the Township legally available for such purpose.

c. Replacement Fund.

There shall next be established and maintained a depository account, designated REPLACEMENT FUND, which shall be used solely for the purpose of making major repairs and replacements to the system if needed. There shall be set aside into the fund, after provision has been made for the Operation and Maintenance Fund and the Contract Payment Fund, such revenues as the Board shall deem necessary for this purpose.

d. Improvement Fund.

There shall next be established and maintained an IMPROVEMENT FUND for the purpose of making improvements, extensions and enlargements to the system. There shall be deposited into said fund, after providing for the foregoing funds, such revenues as the Township Board shall determine.

e. Surplus Moneys.

Money remaining in the Receiving Fund at the end of any operating year, after full satisfaction of the requirements of the foregoing funds, may, at the option of the Board, be transferred to the Improvements Fund or used in connection with any other project of the Township reasonably related to purposes of this system.

In the event the monies in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund, any monies or securities in other funds of the system, except sums in the Contract Payment Fund derived from tax levies and special assessment, shall be transferred to the Operation and Maintenance Fund to the extent of any deficit therein.

SECTION 4. Deposit/Investments.

All monies in all funds established in this Part shall be kept in a depository account or accounts in an authorized banking institution. Complete records of the exact amounts in each fund and of all deposits, transfers, and investments shall be kept and a report thereof shall be made to the Board at least quarterly, or at the Board's request.

Monies in any fund or account established by the provisions of this Ordinance may be invested in obligations 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 said investments were made.

**PART SEVEN: CONFLICTING ORDINANCES, PUBLICATIONS,
SEVERABILITY, EFFECTIVE DATE.**

SECTION 1. Conflicting Ordinances.

All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION 2. Severability.

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 3. Amendment.

This Ordinance may be amended by the Board from time to time by the same ordinance adoption procedure followed in the adoption of this Ordinance.

SECTION 4. Publication.

Within thirty days after the adoption of this Ordinance, this Ordinance shall be published in full in a newspaper of general circulation in Marquette Township.

SECTION 5. Effective Date.

This Ordinance shall become effective on July 1, 1991.

**ADOPTED DECEMBER 19, 2017 AND
EFFECTIVE JANUARY 1, 2018 BILLING**

**WATER SCHEDULE A
Charges, Rates, Fees, and Penalties**

I. USER CHARGES

A. Monthly Fixed Service Charge:

Meter size	Service Charge
Unverified, 5/8 inch, 3/4 inch	\$7.00
1 inch	\$17.50
1-1/2 inch	\$35.00
2 inch	\$56.00
3 inch	\$112.00
4 inch	\$175.00
6 inch	\$350.00
8 inch	\$770.00

B. Volume Rate:

\$ 8.66/Thousand gallons.

C. Lawn Meter Monthly Service Charge:

Meter Size	Service Charge
5/8 inch or 3/4 inch	\$2.00
1 inch	\$4.50
1-1/2 inch	\$9.00
2 inch	\$14.00

D. Debt Retirement:

Water Debt Retirement	
Line Size	Debt Service Charge
3/4 inch, 1 inch	\$15.00
1-1/2 inch	\$30.00
2 inch	\$60.00
4 inch	\$240.00
6 inch	\$525.00
8 inch	\$945.00
10 inch	\$1,470.00

II. CONNECTION FEE

A. Tap-In Fee:

1. Single Family Dwelling:	
a. With Prepaid Tap	\$500.00
b. Without Prepaid Tap	\$3,000.00
2. All Other Properties:	
a. With Prepaid Tap:	\$500.00 for first factor. \$200.00 for each factor thereafter.
b. Without Prepaid Tap:	\$3,000.00 for first factor. \$200.00 for each factor thereafter.

Equivalent Use Factor Table

OCCUPATION USE	UNITS	UNIT FACTOR
Single Family Residence	1.0	Per Residence
Auto Dealers – New and/or Used	2.0	Per premise plus 0.25 per 1,000 sq. ft. of building, including service area
Auto Repair/Collision	2.0	Per premise plus 0.25 per 1,000 ft. of building, including service area.
Auto Wash (Coin Operated Do-It-Yourself 10 gal. Or Less Per Car)	2.0	Per stall.
Auto Wash (Mechanical - Over 10 Gal. Per Car - Not Recycled)	20.0	Per stall or production line, including approach and drying time.
Auto Wash (Mechanical - Over 10 Gal. Per Car – Recycled)	10.0	Per stall or production line, including approach and drying time.
Barber Shop	2.0	Per shop plus 0.1 per chair.
Bar	8.0	First 1,000 sq. ft. plus 1.0 each 1,000 sq. ft. over the first 1,000 sq. ft.
Beauty Shop	2.0	Per shop plus 0.1 per booth
Bowling Alley (No Bar)	2.0	Per premise plus 0.2 per alley.
Churches	0.50	Per 1,000 sq. ft. minimum 1 unit.
Cleaners (Cleaning & Pressing Facilities)	2.0	Per premise plus 1.0 per 1,000 sq. ft.
Clinics (Medical or Dental)	2.0	Per premise plus 2.0 per 1,000 sq. ft.
Convalescent or Boarding Homes	2.0	Per premise plus 1.0 per 1,000 sq. ft.
Convents	2.0	Per premise plus 1.0 per 1,000 sq. ft.
Country Clubs & Athletic Clubs	2.0	Per 1,000 sq. ft. of clubhouse plus restaurant & bar.
Drug Stores	2.0	Per premise plus 1,000 sq. ft.
Factories (For Sanitary Wastes Only)	1.0	Per 1,000 sq. ft.

Funeral Home	2.0	Per 1,000 sq. ft., plus residence to be computed separately.
Grocery Stores & Supermarkets	2.0	Per premise plus 0.8 per 1,000 sq. ft.
Hospitals	1.1	Per bed.
Hotels and Motels	0.50	Per bedroom plus restaurant & bar.
Laundry (Self-Serve)	2.0	Per premise plus 3.0 per 1,000 sq. ft.
Two Family Residential	2.0	Per unit.
Mobile Homes (Free Standing)	2.0	Per unit.
Mobile Homes (Parks & Subdivisions)	2.0	Year round - per pad or site at indirect connection rate plus laundry community buildings and office to be computed separately per schedule.
Mobile Homes (Seasonal)	1.0	Per pad or site.
Multiple Family Residence Duplex or Row Homes	2.0	Per dwelling unit.
Apartments	2.0	Per dwelling unit.
Fraternity or Sorority House	2.0	Per unit dwelling.
Professional Office	1.0	Per 1,000 sq. ft. - Minimum One (1)
Public Institutions	1.0	Per 1,000 sq. ft.
Restaurant (Meals Only)	5.0	Per 1,000 sq. ft. plus 1.0 per 1,000 sq. ft., after first 1,000 sq. ft.
Schools	2.0	Per classroom.
Service Stations	0.50	Per pump plus 1.0 per 1,000 sq. ft. of building area.
Snack Bars, Drive-Ins, Etc.	5.0	Per 1,000 sq. ft. plus 1.0 per 1,000 sq. ft. over first 1,000 sq. ft.

OCCUPATION	UNITS	UNIT FACTOR
Retail Stores (Other Than Listed)	2.0	Per premises plus 1.0 per 1,000 sq. ft.
Theaters (Drive-In)	0.08	Per car space.
Theaters	0.04	Per seat.
Post Office	2.0	Per 1,000 sq. ft.
Warehouse and Storage	0.2	Per 1,000 sq. ft.
Veterinary Facility	2.0	Per facility plus 0.5 per 1,000 sq. ft.
Veterinary Facility with Kennel	2.0	Per facility plus 0.5 per 1,000 sq. ft.

B. Lawn Meter Permit Fee:

Meter Size	Permit Fee
5/8 inch or 3/4 inch	\$140.00
1 inch	\$260.00
1-1/2 inch	\$1,175.00
2 inch Disk	\$1,325.00

C. Meter Replacement Charge:

Meter Size	Charge
5/8 inch or 3/4 inch	\$140.00
1 inch	\$260.00
1-1/2 inch	\$1,175.00
2 inch Disk	\$1,375.00
2 inch Compound	\$1850.00
3 inch Compound	\$2250.00

D. Lateral Benefit Charge:

Water: As used in this Ordinance, the term "Lateral benefit Charge" shall mean the cost of a six inch (6") water main as determined on the most recent special assessment roll for construction at the time of application, provided such cost has been established within the previous twelve (12) months; (if not within the previous twelve (12) months, current cost shall be determined by the Township's engineering consultants). The charge shall be determined by taking one-half the cost, as determined above, times the assessable frontage of the property being served, as determined by the Township Assessor.

No Lateral Benefit Charge is applied to those connecting to any water main installed by the Downtown Development Authority/Tax Incremental Financing District.

No Lateral Benefit Charge is applied to those connecting to any water main installed by the AB Enterprises in Bishop Woods Subdivision No. 1.

No Benefit Charge is applied to those connecting to any water main installed in Bishop Woods Subdivision No. 1 and No. 2.

No Lateral Benefit Charge is applied to any water main installed in Huron Woods Subdivision No. 1 and No. 2.

E. Expansion/Change Charge:

\$100.00 for each factor.

III. CONSTRUCTION PERMIT FEE

A. Review Fee:

A fee equal to 2% of the estimated cost of improvements as determined by the design engineer.

B. Inspection Fee:

Construction Cost	Inspection Fee
\$0 - \$2,500	\$150
\$2,500 - \$7,500	8% but not less than \$300
\$7,500 - \$15,000	6% but not less than \$600
\$15,000 - \$30,000	4% but not less than \$900
Over \$30,000	3% but not less than \$1,200

IV. SERVICE CHARGES

A. Thawing Water Lines:

1. During regular business hours:	\$85.00 per hour
2. During non-business hours:	\$127.50 per hour (There is a minimum charge of \$115.00)

B. Water Service Turn-On:

1. During regular business hours:	\$40.00 each turn-on
2. During non-business hours:	\$65.00 each turn-on

C. Water Service Shut-Off (Disconnect Fee for Voluntary or Involuntary Disconnect):

1. During regular business hours:	\$40.00 each shut off
2. During non-business hours:	\$65.00 each shut-off

V. DEPOSITS

No service shall be rendered to a premise until a deposit is made as security for payment of charges. The interest rate earned on township general checking account will be applied as a credit once a year, effective on deposits as of March 19, 2003. The security deposit charges are:	
Single Family Residential	\$40.00
Other Services:	One month estimated bill for User Charge Fees.

VI. OTHER CHARGES/FEES/PENALTIES/RATES

A. Fire Protection:

1. Private:	
Size of Connection	Per Month
2 inch	\$10.00
3 inch	\$17.00
4 inch	\$27.00
6 inch	\$51.75
8 inch	\$92.00
10 inch	\$132.25
12 inch	\$184.00

2. Public: \$20,000 per year

3. Hydrant Rental Fee: \$51.75 per month or any portion thereof.

B. Non-sufficient funds:

\$30.00 for each returned check.

C. Special Billing Request:

\$10.00 for each special billing procedure requested by customer.

D. Door Hangar Shut Off Notice:

\$ 20.00