

**Notice of Adoption: Charter Township of Union, Isabella County, Michigan  
Ordinance # 2019 -04  
Water Service**

**Summary:** An ordinance to amend various provisions of the Charter Township of Union Water Service, Use and Rate Ordinance, Ordinance No. 1987-9, as amended.

**The Charter Township of Union, Isabella County, Michigan hereby ordains:**

**Section I - Amendments**

The Charter Township of Union Water Service, Use and Rate Ordinance, Ordinance No. 1987-9, as amended, is hereby amended as follows:

**Article X, Section 1(A) - Hook-up Fee.**

The first full sentence of Article X, Section 1(A) - Hook-up Fee is deleted in its entirety and replaced with the following:

All premises within the Township shall pay a hook-up fee at the time of connection to the system and at the time any addition to or expansion of any then-connected premises becomes connected to the system in accordance with the following:

**Article X, Section 1(B) - System benefit fee.**

The second paragraph of Article X, Section 1(B) System benefit fee is deleted in its entirety and replaced with the following:

There shall be paid a system benefit fee, in such amount as determined from time to time by the Township Board, for each single-family unit on behalf of each premises which after the effective date of this Ordinance connects to the water system.

The fourth paragraph of Article X, Section 1(B) System benefit fee is deleted in its entirety and replaced with the following:

The system benefit fee for other than a single-family residence shall be an amount as determined by multiplying the single-family residence system benefit fee by the factor provided for in Table I set forth in Section 7 of Article X of the Charter Township of Union Ordinance Number 1990-1 [112.1007] up to a maximum of ten single-family residential equivalents. The minimum fee for any premises shall not be less than the fee specified for a single-family residence. For any premises other than a single-family residence, a system benefit fee shall also be due upon the occurrence of either of the following events: (1) construction of any expansion of or addition to the premises or (2) any subsequent change in the character or use of the premises which places all or part of the premises in a different ratio-factor category. The system benefit fee in the event of an addition to or change in character of use of a premises other than single-family residence shall be calculated

using the factor provided for in Table 1 of Section 7, Article X of the Charter Township of Union Ordinance Number 1990-1 [112.1007] which corresponds with the nature of the use of the addition or subsequent change in usage. The system benefit fee for an addition to or change in character of use of a premises shall be payable, in cash, at the occurrence of the earliest of the following: (1) the time a construction permit or other permit is issued by the Township for such addition or expansion, (2) the time such addition or expansion becomes connected to the system if no permit is issued or required, or (3) the time the change in usage occurs.

The fifth paragraph of Article X, Section 1(B) System benefit fee is deleted in its entirety and replaced with the following:

The system benefit fee shall be paid at the time of application for a permit to connect to the system or at the time any addition to or expansion of a then-connected premises becomes connected to the system except premises which are in existence prior to construction of the water line being tapped by the premises, which premises may pay the system benefit fee in five equal annual installments. All unpaid installments shall bear interest payable annually on each installment due date at eight percent per annum commencing from the date of application for a hook-up permit, with the first payment due September 1 following the date of application and subsequent installments due each September 1 thereafter until all installments are paid. Any installment not paid by the due date will be considered delinquent. The delinquent system benefit fees shall be transferred to the Township tax roll and shall constitute a lien upon the respective parcels of land. Such lien shall be of the same character and effect as the lien created for general township taxes and shall include accrued interest and penalties.

The sixth paragraph of Article X, Section 1(B) System benefit fee is deleted in its entirety.

The seventh paragraph of Article X, Section 1(B) System benefit fee is deleted in its entirety and replaced with the following:

For all premises for which the system benefit fee is being paid over time, subsequent changes in the character or use or type of occupancy of any premises or any addition to or expansion of any premises, including destruction, removal, or abandonment of any or all improvements thereon, shall not abate the obligation to continue the payment of the system benefit fee as herein set forth applicable to said premises in the amount and for the period herein provided. If, during the pendency of payment of a system benefit fee over time, subsequent changes place the entirety of said premises in a higher ratio-factor category set forth in Section 7 of Article X of the Charter Township of Union Ordinance Number 1990-1 [112.1007], the Township Board may, in its discretion, increase the number of units assigned to said premises and thereupon any additional charges occasioned by such increase shall be payable, in cash, at the time a construction permit or other permit is issued

by the Township for such changes, or at the time such changes occur if no permit is issued or required.

**Article X, Section 1(D)(1) - Consumption charge.**

The paragraph constituting Article X, Section 1(D)(1) is deleted in its entirety and replaced with the following:

Effective January 1, 2019, there will be a minimum charge of \$52.00 per quarter, per residential equivalent, which includes the first 15,000 gallons, per residential equivalent, of consumption per quarter. Additional usage above 15,000 gallons, per residential equivalent, per quarter, shall be charged at the rate of \$2.10 per 1,000 gallons. All single-family residences will be assigned one equivalent. Residential equivalents for all other users shall be determined by water usage. Those accounts without history shall have their initial residential equivalents determined by reference to Table 1 set forth in Section 7 of Article X of the Charter Township of Union Ordinance No. 1990-1 until usage is calculated after six months' usage. That usage will be determined by reading the water meter. The reading will then be divided by six, averaging the monthly usage and dividing that figure by 5,000 gallons to arrive at the residential equivalents. All residential equivalents for all users other than single-family residences shall be re-evaluated on an annual basis by reading the water meter. The reading will then be divided by 12 averaging the monthly usage and dividing the figure by 5,000 gallons to arrive at the residential equivalent for the next 12-month period. For purposes of determining initial residential equivalents under this section, any portion of a premises which constitutes an addition to or expansion of said premises shall have residential equivalents for said addition or expansion calculated using the factor in Table 1 set forth in Section 7 of Article X of the Charter Township of Union Ordinance No. 1990-1 which corresponds to the nature of the use of the addition or expansion.

**Section II - Title**

This Ordinance shall be known and cited as the Charter Township of Union Ordinance Number 2019-04, Ordinance Amending the Charter Township of Union Water Service, Use and Rate Ordinance.

**Section III - Severability**

In the event any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or words of this Ordinance.

**Section IV - Effective Date**

This Ordinance shall take effect the day immediately following publication. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**This proposed Ordinance for the Charter Township of Union was adopted by the Union Township Board of Trustees, at a regular meeting on June 26, 2019 at 7:00 pm. at the Union Township Hall, 2010 S. Lincoln Rd., Mt. Pleasant, Michigan.**

**Lisa Cody, Township Clerk**

**Ben Gunning, Supervisor**