

112.000 WATER SERVICE, USE AND RATE ORDINANCE

Ord. No. 1987-9

Adopted: December 9, 1987

An Ordinance to provide for the operation and maintenance of all water supply facilities of Union Township on a public utility 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 Union, to establish water service and use regulations; to prohibit water cross connections; and to provide penalties for violation thereof.

THE TOWNSHIP OF UNION ORDAINS:

ARTICLE I

112.100 DEFINITIONS

112.101 Words and terms defined.

Sec. 1. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- (a) *Building lead* means that portion of a water line from property line to the location of the meter.
- (b) *Cross connection* means a connection or arrangement of piping or appurtenances through which water of questionable quality, waste, or other contaminants can enter the public water supply system.
- (c) *Curb box* means a riser from the service lead, located at the property line, to enable water service to be turned on or off.
- (d) *Person* means any individual, firm, company, association, society, corporation or group.
- (e) *Service lead* means that portion of a water line running from the water main to the property line, including the corporation stop, curb stop and curb box.
- (f) *Township* means the Township of Union, Isabella County, Michigan.
- (g) *Township Water System*, hereinafter referred to as *System*, means the governmentally owned and operated water supply system in the Township of Union, consisting of pipes, structures and facilities by means of which potable water is obtained and distributed to the public.
- (h) *Charges*. The term "charges for water services" or "charges" shall be deemed to mean the amount charged to each premises in the Township connected to the System for the purpose of receiving a supply of water.

(Ord. No. 1993-12, 11-10-93)

ARTICLE II

112.200 GENERAL LIMITATIONS ON USE OF THE TOWNSHIP WATER SYSTEM

112.201 [Compliance with article.]

Sec. 1. It shall be unlawful for any unauthorized person to tap or connect to any water main, service lead, curb box, or other appurtenance of the Township Water System; or to open or close any valves or hydrants thereof; or to molest or interfere with any valve, valve box cover, water meter, detector check valve, or other part thereof, except as provided in this Ordinance.

112.202 [Approval required for modifications, additions, etc., generally.]

Sec. 2. No modification of or addition to the Township Water System, and no extension of any water main thereof, shall be made without the prior approval of the Township. All such modifications, additions and extensions shall conform to requirements and standards of the Township, the Michigan Department of Health and the State Plumbing Code.

112.203 [Extensions within property limits.]

Sec. 3. No extension shall be made to a building lead for the purpose of supplying water to a point beyond the limits of the property for which the building lead was installed as set forth in the original application for water service, except as provided in this Ordinance.

112.204 [Waste of water.]

Sec. 4. No owner or occupant of any premises supplied with water from the Township Water System shall permit the unnecessary waste of such water or shall use or permit the use thereof to provide a water supply for any other person, firm or corporation.

ARTICLE III

112.300 REQUIRED PERMITS

112.301 [Permit required.]

Sec. 1. Water service shall not be provided from the Township Water System, and no work shall be commenced on the installation of any building lead and the connection thereof to the Township Water System, until a permit therefor has been issued by the Township. No alterations, additions or repairs shall be made to existing building leads, connections and appurtenances until a permit therefor has been issued by the Township.

112.302 [Application by owner or agent.]

Sec. 2. Application for permits shall be made to the Township by the property owner, or by a master plumber acting as an authorized agent of the property owner, on a form provided by the Township. The work will

be performed in accordance with the requirements of this Ordinance and the applicable rules, regulations and specifications of the Michigan Department of Health and the State Plumbing Code.

112.303 [Application contents.]

Sec. 3. A permit application shall contain:

- (a) The name and address of the owner;
- (b) The name and business address of the master plumber, if applicable;
- (c) The location and tax number of the property to be served;
- (d) The use of the building or buildings erected or to be erected thereon;
- (e) The size of the service connection and meter desired; and
- (f) Such other information as the Township may deem necessary.

112.304 [Accuracy of application.]

Sec. 4. A property owner applying for a permit shall be responsible for the accuracy and completeness of all information required to be furnished by the application form. All expense incurred by the Township by reason of the failure of the owner to provide full and correct information shall be charged to and paid for by the owner. An incomplete application may be returned to the applicant.

112.305 [Home owner's permit.]

Sec. 5. Notwithstanding anything in this Ordinance to the contrary, a permit may be issued to a home owner who desires personally to install his own building lead, connections, alterations, or repairs without the services of a master plumber, if the home owner:

- (a) Made application therefor in accordance with the requirements of this Article, excepting only the requirements for name, address, signature and agreement of a master plumber;
- (b) Furnishes evidence satisfactory to the Township that he has knowledge of the requirements of this Ordinance and is qualified to do the work;
- (c) Certifies that the work will be performed by himself and no one else; and
- (d) Agrees that the work will be performed in accordance with the requirements of this Ordinance and the State Plumbing Code.

Permits issued to home owners under this Section shall be stamped or labeled "Home Owner's Permit."

112.306 [Fee payment prior to permit issuance.]

Sec. 6. All fees and charges as provided for in Article X [112.1000] of this Ordinance shall be paid before a permit is issued.

112.307 [Term of permit.]

Sec. 7. A permit shall be valid for a period of one year from the date of issuance. Upon application approved by the Township a permit may be renewed for an additional one-year period. The installation shall be completed during the period the permit is valid.

112.308 [Denial of permit.]

Sec. 8. If a permit is denied, written notice of the reasons for the denial shall be given to the applicant.

112.309 [Inspection of work.]

Sec. 9. All work performed in pursuance of a permit issued under this Ordinance shall be subject to inspection by the Township, which may order any part of the work discontinued and/or changed to comply with the permit, Township specifications, this Ordinance and applicable requirements of the Michigan Department of Health and the State Plumbing Code.

112.310 [Registration of master plumbers.]

Sec. 10. Only master plumbers who are registered with the Township may sign applications for permits and take charge of the work for which the permits are applied for. The registration with the Township shall be done annually during the month of April or at the time an application for a permit is submitted to the Township. In registering with the Township, a master plumber shall present his State license and Board of Health registration. A master plumber shall in no event permit his name to be used by any other person, directly or indirectly, for the purpose of making application for a permit or the performance of any work pursuant thereto. The Township may refuse to issue a permit on an application signed by a master plumber who has failed to correct violations of this Ordinance occurring with respect to any work for which he is responsible.

ARTICLE IV

112.400 SERVICE LEADS

112.401 [Maintenance by Township.]

Sec. 1. All service leads are a part of the Township Water System and will be installed and maintained by the Township. Installation will consist of tapping the main, inserting a corporation stop with proper couplings, laying a service pipe and providing a curb stop and curb box at the property line.

112.402 [Prohibited installation.]

Sec. 2. A service lead will not be installed where the terminal point of a building lead at the property line has been so located by the owner that the line between it and the water main is obstructed by a driveway approach, tree or other obstacle.

112.403 [Disconnection.]

Sec. 3. The Township may disconnect from the main any unused service leads. In the event water service should be desired at the same location at a later date, a permit for such service and connection to the Township Water System will be required.

ARTICLE V

112.500 BUILDING LEADS

112.501 [Maintenance by property owner.]

Sec. 1. All building leads from the Township Water System shall be owned, installed and maintained by the respective property owners.

112.502 [Installation.]

Sec. 2. The installation of building leads and of modifications thereof and repairs thereto shall be in [the] charge of a master plumber who shall be responsible for the work, excepting only work authorized to be performed under a home owner's permit.

112.503 [Material standards.]

Sec. 3. All building lead material shall meet the following standards:

- (a) Building leads shall be a minimum size of one inch diameter.
- (b) Building leads shall be of the following materials:

Material	Working Pressure Rating
Polyethylene	160 psi
Polybutylene	160 psi

- (c) Polyethylene pipe materials shall conform to the latest versions of the AWWA-C901, ASTM D-1248, ASTM D-2239 and ASTM D-2737 standards.
- (d) Polybutylene pipe materials shall conform to the latest revisions of the AWWA-C901, ASTM D-1248, ASTM D-2239 and ASTM D-2737 standards.

112.504 [Depth.]

Sec. 4. The minimum depth of cover for building leads shall be five feet below the surface of the ground or the established street grade, whichever is lower.

112.505 [Placement.]

Sec. 5. Building leads laid in the same trench with a sewer shall be at least three feet distant from the sewer horizontally, and if the sewer is laid at a greater depth than the building lead, the building lead shall be shelved into the bank to a solid bottom. A building lead shall not be laid on fill.

112.506 [Installation in driveway approach prohibited.]

Sec. 6. A building lead shall not be installed in a driveway approach.

112.507 [Distance from other utility lines.]

Sec. 7. The line of a building lead shall be at least five feet distant from underground gas, telephone, electricity and other utility lines.

112.508 [Placement in buildings.]

Sec. 8. A building lead in the interior of a building shall not be placed on an outside wall or in any other position where damage by freezing could occur.

112.509 [Separate leads for each building; exceptions.]

Sec. 9. A separate building lead shall be required for each building and any appurtenant outbuildings requesting water service on a parcel of land, except in the case of properties devoted to commercial and industrial uses where more than one building is located on a single parcel of land held in undivided ownership. In such cases, the several buildings so located may be served by one building lead, provided that:

- (a) The lead is of sufficient size to meet all requirements for water, and
- (b) The manifold pipe attached to the building lead through which water is supplied to the several buildings shall be located off the public right-of-way.

Where two or more such buildings are served by one building lead and ownership of the property on which they are located is subsequently divided, individual leads to the separate buildings shall then be installed.

112.510 [Permission required to cross highways, streets and alleys.]

Sec. 10. Building leads shall not cross highways, streets or alleys without permission of the Township and any required permits from the County Road Commission and the Township.

112.511 [When meter and check valve required.]

Sec. 11. Where properties are supplied by more than one building lead from different service leads or mains and connected inside the property, all building leads so connected must be provided with a meter and check valve properly maintained to prevent cross feeds, with waste-stop on bottom of pipe, each side of check valve, so as to drain pipes and meters.

112.512 [Outlets between meter and main prohibited.]

Sec. 12. A plugged tee, or any other accessible outlet, shall in no event be installed between the meter and the main.

112.513 [Disconnection.]

Sec. 13. All unused or abandoned building leads entering a property shall be disconnected at the curb box by the owner.

112.514 [Inspection.]

Sec. 14. Underground piping and connections shall not be covered up or put into operation until the work has been inspected and approved by the Township. It shall be the responsibility of the holder of the permit to

arrange for such inspection with the Township at least 24 hours before the inspection is to be made. Any part of the work that is found to be defective or unsafe will be rejected and shall be changed to comply with the requirement of the permit and this Ordinance before the same shall be put into use.

ARTICLE VI

112.600 USE OF HYDRANTS

112.601 [Permit required.]

Sec. 1. It shall be unlawful, except for the purposes of extinguishing fire by a regularly organized governmental Fire Department, to open any fire hydrant on the Township Water System, or to tamper with the same, or to use the water therefrom without having first procured a permit from the Township. No person shall in any manner obstruct the use of any fire hydrant in the Township, through placing or allowing to be placed any material or thing in front of it. Any such obstruction may be removed forthwith by the Township at the risk, cost and expense of the owner or claimant.

112.602 [Grant of permit.]

Sec. 2. Permits for water service from a hydrant shall be granted by the Township only from specific hydrants at specific times and for specific purposes.

112.603 [Security deposit.]

Sec. 3. Before a permit is issued for water service from a fire hydrant, the applicant therefor shall deposit with the Township an amount equal to:

- (a) The estimated cost of the water to be used, plus
- (b) An additional amount as a security deposit against possible equipment damage determined as provided for in Article X [112.1000 et seq.] of this Ordinance. The applicant's deposit shall be held until all charges for water service have been fully paid and all equipment returned in good condition. The Township shall have the right to use any portion of a security deposit to repair or replace any equipment damaged by reason of the consumer's use thereof.

112.604 [Valve and meter required.]

Sec. 4. Before there shall be any use of water from a fire hydrant, the discharge part shall be fitted with a valve and meter under the direction of the Township.

112.605 [Charges for damage.]

Sec. 5. Damage to a fire hydrant resulting from its opening or closing with an improper wrench will be repaired and charged to the party causing damage.

112.606 [Duration of permit.]

Sec. 6. Permits for use of fire hydrants during the period from April 15th to October 15th may be for periods of time as may be requested and specified. From October 15th to April 15th, permits will be issued on a day-to-day

basis and the hydrant shall be pumped after each use, or at the end of the day, whichever may be necessary, depending on weather and need to prevent freezing.

112.607 [When master meter required; unmetered hydrants to be sealed.]

Sec. 7. For the purpose of metering water taken from hydrants on private property, the Township may require that a master meter be installed prior to any service connection off the building lead. All unmetered hydrants on private property shall be sealed.

ARTICLE VII

112.700 CROSS CONNECTIONS

112.701 [Private water systems.]

Sec. 7.01. It shall be unlawful for any person to make or maintain any cross connection between the Township Water System and a private water supply or other water supply system. No person shall install or maintain a private well in the Township on property served by the Township Water System without first receiving a permit. Such permit shall be issued only if the Township determines that there is no possibility of introducing contaminated water, water of questionable quality, waste, or other contaminants into the Township Water System.

(Ord. No. 1993-12, 11-10-93)

112.702 [State rules adopted by reference.]

Sec. 7.02. The Township adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Environment, Great Lakes, and Energy, being R 325.11401 to R 325.11407 of the Michigan Administrative Codes and a subsequent amendment thereto.

(Ord. No. 1993-12, 11-10-93; Ord. No. 22-06 , 11-9-22)

112.703 [Inspections.]

Sec. 7.03. It shall be the duty of the Township Water Department, or its designee, to make inspections of all property served by the Township Water Supply System where a cross connection with the Township Water Supply System is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by Union Township and as approved by the Michigan Department of Environment, Great Lakes, and Energy.

(Ord. No. 1993-12, 11-10-93; Ord. No. 22-06 , 11-9-22)

112.704 [Right of access.]

Sec. 7.04. The representative of the Township Water Department shall have the right to enter at any reasonable time any properties served by a connection to the Township Water System for the purpose of inspecting the piping system or systems thereof for cross connections. On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the

pipng system or systems on such property. The refusal of such information or refusal of access when requested shall be deemed evidence of the presence of a cross connection.

(Ord. No. 1993-12, 11-10-93)

112.705 [Disconnection for violations.]

Sec. 7.05. The Union Township Water Department is authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this Ordinance exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the Township Water System. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this Ordinance.

(Ord. No. 1993-12, 11-10-93)

112.706 [Protection of water supply.]

Sec. 7.06. That [sic] the potable water supply made available on the property served by the Township Water System shall be protected from possible contamination as specified by the Ordinance and by the State and Local Plumbing Codes. 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."

(Ord. No. 1993-12, 11-10-93)

112.707 [Ordinance supplemental to other plumbing codes.]

Sec. 7.07. This Ordinance shall not supersede the State Plumbing Code and/or Local Plumbing Ordinance, but is supplementary thereto.

(Ord. No. 1993-12, 11-10-93)

112.708 [Initial testing.]

Sec. 7.08. All testable backflow prevention assemblies shall be tested initially upon installation, relocation and/or repair to be sure that the assembly is working properly. Subsequent testing of assemblies shall be on an annual basis or as required by the Township and in accordance with Michigan Department of Environment, Great Lakes and Energy requirements. Only individuals that hold an active ASSE 5110 tester's certification shall be qualified to perform such testing. That individual(s) shall certify the results of his/her testing.

(Ord. No. 22-06 , 11-9-22)

ARTICLE VIII

112.800 METERING OF WATER

112.801 [Meters required.]

Sec. 1. All connections with the Township Water System, with the exception of fire hydrants and fire protection sprinkler systems, shall be prepared for the use of water through a meter. No water shall be supplied to a property unless it is measured by a water meter approved, supplied or installed by the Township. The Township will not be required to approve meters of a larger size than it determines to be necessary.

112.802 [Fire protection sprinkling systems.]

Sec. 2. Water from a fire protection sprinkling system shall only be used in case of fire. A control valve for all fire protection sprinkler systems shall be located at the main, or as determined by the Township. A detector check meter shall be installed on all fire protection sprinkler systems.

112.803 [Placement of meters.]

Sec. 3. All meters shall be set in clean, dry, sanitary places which are easily accessible. They shall not be placed in closets or other places that are kept locked or are difficult to get to. Where practical, a meter shall be installed within the building served, but where this is impractical, installation may be in a meter pit subject to the following provisions:

- (a) All meter pits shall be constructed in accordance with plans and specifications furnished by the Township. Cover openings shall be directly over the meters. Devices designed to take the place of meter pits may be used if approved by the Township. The master plumber in charge of an installation shall be responsible for the condition of all meter pits.
- (b) All meter pits on public or private property shall be constructed in locations free from hazards to pedestrian traffic. Meter pits shall not be located in or near doorways. In the event a building is altered and a door installed so that a previously installed meter pit is located in or near the doorway, the pit shall be relocated.
- (c) The cost of construction of meter pits shall be borne by the property owner.

112.804 [Installation of meters.]

Sec. 4. Meters three-quarters inch and one inch [in size] shall be installed by the Township after the property owner has provided a place at his own expense for setting the same. A template will be provided by the Township for the installation. Installation of meters in excess of one inch shall be in charge of the master plumber having responsibility for the work, except in the case of an installation made under a home owner's permit. All meters will be provided by the Township at a cost in accordance with Article X [112.1000 et seq.] of this Ordinance.

112.805 [Testing tees.]

Sec. 5. All meters 1½ inch and larger, which do not have a test plug, shall have a tee between the meter and the outlet valve, to be used for testing the meter without its removal. The size of the side opening of this tee shall be 1½ inches for 1½-inch building leads, two inches for all building leads up to four inches and three inches for larger building leads, according to plans which will be supplied on request by the Township. The side opening of each tee shall be plugged.

112.806 [Gate valves.]

Sec. 6. Gate valves shall be installed on the influent and effluent side of all meters. Gate valves shall be located so as to be readily accessible.

112.807 [Clearance distance.]

Sec. 7. The clearance distance from a wall or other object to the center of a building lead at the meter shall not be less than as shown below:

Meter Size	Clearance
$\frac{5}{8}$ " , $\frac{3}{4}$ " , 1"	5"
1½"	12"
2"	14"

Larger sizes shall be installed in accordance with specification furnished by the Township.

112.808 [Meters inside buildings.]

Sec. 8. All meters located inside the building shall be provided with outside remote reading devices which shall be so located as to be readily accessible either on the front of the building or as near thereto on a side of the building as may be practicable. Where the location of a meter in a building is such that an uncovered cable cannot safely be run from it to the outside remote reading device, a metal conduit shall be installed to hold the cable. The metal conduit shall be one-half inch in size for three-quarters-inch to 1½-inch meters and shall be three-quarters inch in size for two-inch and larger meters and for compound meters. Specifications for the cable required will be furnished by the Township. Installation of metal conduits shall be the responsibility of the property owner.

112.809 [Charge to property owner.]

Sec. 9. Unless otherwise approved in writing, all water meters and remote reading devices will be supplied through the Township. The cost thereof shall be charged to the property owner.

112.810 [Maintenance by Township.]

Sec. 10. All meters shall be a part of the Township Water System and shall be maintained by the Township which shall make such periodic tests and repairs [as] it may determine to be necessary to assure correct registration. A property owner will be charged only for those repairs made necessary by damage caused by willful act or neglect such as failure to protect the meter from freezing temperatures or permitting a water heater to become overheated to the extent that the water is forced back through the line to the meter.

112.811 [Meter accuracy; refunds.]

Sec. 11. The accuracy of a meter on any premises will be tested by the Township upon written request of the property owner accompanied by a fee in the amount as provided for in Article X [112.1000] of this Ordinance. If on such test the meter shall be found to register over four percent more water than actually passes through it, another meter will be substituted therefor and the fee will be refunded to the owner and the water bill may be adjusted in such a manner as may be fair and just. If on such test the meter shall be found to register less than four percent more water than actually passes through it, the fee will not be refunded.

112.812 [Tampering; unlawful by-pass.]

Sec. 12. It shall be unlawful of any person to interfere with, or remove, a meter from any building lead connection. No person shall break, remove or tamper with any seal which is placed on any meter or by-pass valve by the Township. No person shall install or use any device which allows water to be used which does not pass through the meter.

112.813 [Property owner's responsibility.]

Sec. 13. The owner of the property is responsible for the safe-keeping of meters installed on his premises, and shall, if a meter is lost or stolen from the premises, be charged with the actual cost of replacing the missing equipment.

ARTICLE IX

112.900 SPRINKLER SYSTEMS

112.901 [Installation.]

Sec. 1. All fire protection sprinkler systems shall be installed according to Fire Underwriters Standard for Fire Systems.

112.902 [Detector check meters required.]

Sec. 2. Detector check meters will be required on all fire protection sprinkler systems.

112.903 [Domestic waste service approval.]

Sec. 3. Domestic waste service may be approved off of a building lead to a fire protection sprinkler system prior to a check valve provided in accordance with the Fire Underwriters' Standards.

112.904 [Tap in charge.]

Sec. 4. There will be a tap in charge for hook up of all fire sprinkler systems. The tap in charge includes the tapping and installation of a service lead for the purpose of fire protection. The fee for this service will be charged on a time and material basis for all service lead sizes.

(Ord. No. 1993-4, 4-28-93; Ord. No. 1995-2, 3-22-95; Ord. No. 1998-6, 3-25-98)

ARTICLE X

112.1000 FEES AND CHARGES

112.1001. [Services and fees described.]

Sec. 1. Permit and other fees, charges for services and equipment, security deposits, and rates for water shall be in the following amounts specified, or as from time to time hereafter [they shall] be amended, or as specified and provided for by resolution of the Township Board.

- A. *[Hook-up fee.]* 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:

One-inch service; \$500.00.

Fee for a service lead larger than one-inch diameter will be charged on a time-and-material basis.

The hook-up fee includes the tapping and installation of service lead in accordance in Section [Article] IV of this Ordinance [112.400] and the installation of a meter in accordance with Section [Article] VIII of this Ordinance [112.800]. In the event that the premises is already provided with a service lead, constructed in accordance with Section IV [112.400], the premises shall only be charged for the meter cost and installation portion of the hook-up fee.

In a case where a premises is part of a residential subdivision for which a private individual has installed, at no cost to the Township, water lines, saddles, valves, and house leads in accordance with Township specifications and inspected and approved by Township personnel, the water hook-up fee shall be reduced to \$150.00 for a five-eighths-inch meter and \$200.00 for a one-inch meter. Any lateral fee required by this Ordinance will still be payable.

- B. *System benefit fee.* System benefit fee shall mean the fee levied to pay for system facilities such as water supply wells, water treatment facilities, storage tanks, booster pump stations, and transmission lines which generally benefit all of the users of the system.

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.

Parcels in the following special assessment districts shall not pay a system benefit fee on the first residential equivalent, however shall pay a system benefit fee on each residential equivalent thereafter:

1. East Water District 86-1-W.
2. West Water District SAD #1987-1.
3. Yates Drive Water District SAD #1987-5.
4. Corporate Park District SAD #1988-7.
5. Northside Water District SAD #1988-9.
6. Southside Water District SAD #1988-10.
7. High Street Water District SAD #1988-12.

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 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.

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.

- C. *Lateral fee.* A lateral fee shall be charged in the amount specified for making a direct private service line connection or main extension from a main subject to a lateral fee as listed below. This charge is in addition to the other fees specified in this Article X [112.1000]. The lateral fee shall be based on the front footage of the premises or property served. In the case of a platted lot, it would be the entire lot frontage. If the premises occupied more than one lot, the lateral fee would be for the frontage of the lots occupied. If the premises are located on part of an unplatted parcel, the lateral fee would be based on the frontage occupied by the premises or the minimum lot widths required by the Zoning Ordinance, whichever is greater, except in an AG zone where 165 feet would be used as a minimum lot width. Should large unplatted parcels be assessed a lateral fee for only a portion of the parcel's frontage, the remaining unassessed portion shall be assessed a lateral fee should water service subsequently be rendered to that portion of the parcel unassessed.

At the time of application for a hook-up, a lateral fee measured by the front footage abutting the line being tapped shall be charged and payable at the time the permit is applied for except premises which are in existence prior to construction of the water line which are in existence prior to construction of the water line which premises may pay the lateral 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 lateral charge shall be transferred to the Township's tax roll and shall constitute a lien upon the respective parcels of the land. Such lien shall be of the same character and effect as the line created for general Township taxes and shall include accrued interest and penalties.

The following water mains shall be subject to a lateral fee in the amount specified:

1. A 12-inch water main running along Isabella Road from the Township's well and treatment site north along Isabella Road to High Street.

Eighty feet of property or less: \$1,440.00; provided, however, any property with abutting frontage which exceeds 80 feet shall pay an additional lateral fee of \$18.00 per foot of abutting property in excess of 80 feet.

2. A 12-inch water main along Meridian Road north from the Township's well site to Pickard Road, thence along Pickard Road from Meridian Road east to the west line of Parcel No. 17-20-003-00 (approximately one-quarter of Lincoln Road) and the water main running north along Lincoln Road from Pickard Road approximately one-quarter mile to the south line of Parcel No. 9-300-006-01.

Eighty feet of property or less: \$1,600.00; provided, however, any property which abuts the frontage which exceeds 80 feet shall pay an additional lateral fee of \$20.00 per foot of abutting property in excess of 80 feet.

3. A 12-inch water main running from Isabella Road west along Bluegrass Road to the east line of Parcel No. 26-300-002-00, thence south to the US-27 access road not including land in the South Side Water Special Assessment District No. 1988-10. Also, [on] a 12-inch water main along Deerfield Road from Mission Road west to Crawford Road, the lateral fee would only apply to the north side of Deerfield Road.

Eighty feet of property or less: \$2,450.00; provided, however, any property with abutting frontage which exceeds 80 feet shall pay an additional lateral fee of \$30.00 per foot of abutting property in excess of 80 feet.

4. A 12-inch water main running along Bamber Road from the north line of O'Connor Subdivision north to River Road and thence east on River Road to the railroad on the north side of River Road and the west line of Parcel No. 10-200-005-00 on the south side of River Road; and

East side of Mission Road from River Road to the north side of Parcel 14-02-30-007-00; and

West side of Mission Road from Parcel 14-87-00-001-00 to the intersection of Craig Hill Road and Mission Road.

Eighty feet of property or less: \$1,920.00; provided, however, any property with abutting frontage which exceeds 80 feet shall pay an additional lateral fee of \$24.00 per foot of abutting property in excess of 80 feet.

5. An eight-inch water main that serves Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and the south 75 feet of Lot 6 and the south 82 feet of Lot 7, all in Block 1 of Ward's View Subdivision according to the plat recorded in Liber 3 of Plats, Page 159, Isabella County, and all premises on the south side of Ward Street between Elizabeth Street and Florence Street; and

The north side of Pickard Road from the US-27 interchange access road east to the terminus of the water main which is just beyond Enterprise Drive; and

Water main which serves the area within Blocks 1 and 2 of Neil's Subdivision according to the plat recorded in Liber 3 of Plats, Page 151, Isabella County records; and

The water main along National Drive which is not included in special Assessment District No. 86-1-W including that part of Lots 5 and 6 lying south of US-27 freeway and Lots 7, 8, 14, 15, 16, 17, 18, 29, 30, 31, 32, 33 and 34 of Airport Acres Subdivision according to the plats recorded in Liber 3 of Plats, Page 285, Isabella County records; and

An eight-inch water line from Pickard Road north on a private easement paralleling Packard Road to Corporate Way; thence west on Corporate Way to Park Place Street, thence north on Park Place 210 feet.

Eighty feet of abutting property or less: \$1,440.00; provided, however, any property with abutting property which exceeds 80 feet shall pay an additional lateral fee of \$18.00 per foot of abutting property in excess of 80 feet.

6. Twelve-inch and eight-inch water mains located within the boundaries of the WDDA.

Eighty feet of property or less: \$1,920.00; provided, however, any property with abutting frontage which exceeds 80 feet shall pay an additional lateral fee of \$24.00 per foot of abutting property in excess of 80 feet. The foregoing lateral fee shall be paid by all properties connecting to the water mains within the WDDA boundaries which are not properties lying within the WDDA water SAD.

7. A 12-inch water main beginning at the west side of the intersection of Mission Road and East River Road; thence east and northeasterly along East River Road from said intersection to the US-27 Expressway.

Eighty feet of abutting property or less: \$1,920.00; provided, however, any property with abutting frontage which exceeds 80 feet shall pay an additional lateral fee of \$24.00 per foot of abutting property in excess of 80 feet.

8. A lateral fee shall not be charged for making a direct private service line connection or main extension if the line being connected or the main being extended has been paid for by the property owner or their predecessor in interest if the private service line or main being connected is dedicated over to the Charter Township of Union for maintenance and control to be a part of the Township Water System.

D. *Consumption charge.* Costs for water consumption will be in accordance with the following:

1. 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.

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2. Effective January 1, 1993, water consumption will be charged at the rate of \$0.84 per 1,000 gallons over 5,000 gallons per month.
 - E. *Meter charge.* Fee for three-quarters-inch meter and remote reader is included in the hook-up fee set forth in paragraph A. above. All larger meters will be provided on a cost plus ten percent basis; costs to include all materials and labor.
 - F. *Turn-on and turn-off charges:*
 1. The following charges for a turn-on or turn-off of water for meter readings ordered by a customer are established:

Turn-off during regular working hours\$15.00

Turn-on during regular working hours15.00

Initial reading (without turn-off or on)15.00

Final reading (without turn-off or on)15.00

No turn-on or turn-off, or initial or final readings will be made after regular working hours, except under unusual conditions. The fee for such service will be30.00

2. Turn-on and turn-off of delinquent account:

During regular hours\$15.00

After hours30.00

- G. Fire hydrant use and permit:

Fire hydrant permit from April 15th to October 15th:

Use of each hydrant with 15,000 gallons of water\$ 50.00

Fire hydrant permit from October 16th to April 14th:

Use of each hydrant with 15,000 gallons of water50.00

Additional per day use charge10.00

Deposit for use of hydrant equipment:

¾-inch meter and hydrant wrench125.00

Two-inch meter and hydrant wrench300.00

Any damage to equipment or hydrant will be deducted from the deposit.

All hydrant use permits will be limited to 30 days. Water consumption in excess of the 15,000 gallons specified in the permit will be charged for at the normal rate.

- H. *Testing meters:*

1. ¾-inch and one-inch meter\$25.00
2. Larger meters, time plus 15 percent.

(Ord. No. 1988-4, 3-30-88; Ord. No. 1988-5, 4-13-88; Ord. No. 1988-7, 9-14-88; Ord. No. 1988-10, 12-14-88; Ord. No. 1989-4, 3-8-89; Ord. No. 1990-1, 1-18-90; Ord. No. 1990-7, 11-20-90; Ord. No. 1991-9, 7-10-91; Ord. No. 1991-15, 10-9-91; Ord. No. 1992-8, 11-11-92; Ord. No. 1993-7, 7-1-93; Ord. No. 1994-4, 8-24-94; Ord. No. 1994-7, 12-28-94; Ord. No. 1995-8, 11-29-95; Ord. No. 1997-4, 1-29-97; Ord. No. 1998-19, 12-9-98; Ord. No. 2001-08, 12-12-01; Ord. No. 2019-04, 6-26-19)

112.1001.1 [Bulk water to fill swimming pools.]

Sec. 1.1. *Permit requirements.* Prior to obtaining the bulk water to fill a swimming pool a bulk water permit must be obtained from the Union Township Utility Department and a bulk water permit agreement must be signed. These permits may be obtained between April 15th and October 15th at the Union Township Hall. Permits for the filling of swimming pools will only be given to licensed milk haulers who shall use only milk trailers which have not been used to haul hazardous materials or other substances which may cause contamination of the Township well.

Sec. 1.2. *Fees, costs, and deposits.* There shall be a \$300.00 deposit for the use of the two-inch meter and Township water equipment. Any damage to the equipment or meter will be deducted from the refundable deposit. The use of the meter and 15,000 gallons of water per pool shall be \$50.00. Water consumption in excess of the 15,000 gallons shall be charged at \$1.50 per 1,000 gallons. Drop tickets shall be left at the meter site with a before and after meter reading. The meter will be read by the Utility Maintenance Supervisor daily. Water charged will be billed to the permit holder or deducted from the deposit when the permit expires.

Sec. 1.3. *Liability and damage.* The permit holder shall be responsible for any and all damage or liability of any kind that arises from the use of the Township's water, meter, and water equipment. The permit holder shall hold the Township harmless from any damage or liability.

(Ord. No. 1991-7, 5-22-91)

112.1002 [Billing.]

Sec. 2. Billing will be rendered quarterly on January 1st, April 1st, July 1st, and October 1st. Bills are payable without penalty within 35 days of the mailing date. Payments received after such period shall bear a penalty of 15 percent of the amount of the bill.

(Ord. No. 1990-1, 1-18-90)

112.1003 [Special services.]

Sec. 3. For miscellaneous or special services for which a special rate shall be established, such rates shall be fixed by the Township Board.

(Ord. No. 1990-1, 1-18-90)

112.1004 [Delinquent charges constitute lien.]

Sec. 4. The charges for services which are hereunder and under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, are made a lien on all premises served thereby, and whenever any such charge against any piece of property shall be delinquent for six 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 him 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. In addition to the foregoing, the Township shall have the right to shut off water service to any premises for which charges for water service are more than 30 days delinquent, and such service shall not be reestablished until all delinquent charges and penalties and a turn-on charge, to be specified by the Township Board, have been paid. Further, such charges and penalties may be recovered by the Township by court action.

(Ord. No. 1990-1, 1-18-90; Ord. No. 1998-7, 3-25-98)

112.1005 [Free service.]

Sec. 5. No free service shall be furnished by said System to any person, firm or corporation, public or private, or to any public agency or instrumentality.

(Ord. No. 1990-1, 1-18-90)

112.1006 [Connection with System required.]

Sec. 6. All premises within the Township which seek a building permit for new construction or development shall hook into the Township water system and shall not drill wells for the supply of water, provided water service is available to the property. Available shall mean that a water main or transmission line which [sic] is within 200 feet of single-family residential construction and within 1,000 feet of a subdivision development, commercial multi-user construction, or other multi-user construction or development.

(Ord. No. 1990-1, 1-18-90)

112.1007 [Schedule of residential equivalents.]

Sec. 7.

Table 1. Schedule of Residential Equivalents

Use	Single-Family Residential Equivalent
1. Apartments	1.0 per unit
2. Auto dealers	0.30 per service stall
3. Banks	0.50 per 1,000 sq. ft.
4. Barber shops	1.0 per shop, plus 0.10 per chair
5. Bar	0.025 per seat
6. Beauty shops	1.0 per shop, plus 0.10 per chair
7. Car wash	12.0 per lane, attendant-operated
	1.0 per stall, coin-operated
8. Churches	1.0 plus 0.10 per 1,000 sq. ft.
9. Cleaners	1.5 per 1,000 sq. ft., plus 2.0 per press
10. Clothing or shoe stores, men's and women's	0.50 per 1,000 sq. ft.
11. Clinics, medical or dental	1.0 per doctor
12. Convalescent or nursing home	0.22 per bed
13. Drapery shop or fabric retail store	0.50 per 1,000 sq. ft.
14. Drug store	0.75 per 1,000 sq. ft.
15. Efficiency apartments	0.50 per unit
16. Factories, exclusive of industrial water	0.50 per 1,000 sq. ft., plus industrial process water
17. Fraternal organizations	1.0 per 1,000 sq. ft.
18. Gift shop	1.0 per 1,000 sq. ft.
19. Grocery store	1.0 per 1,000 sq. ft.
20. Meat markets or produce markets	2.5 per 1,000 sq. ft.

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(Supp. No. 20)

Part 112 -
112.000 - WATER SERVICE, USE AND RATE ORDINANCE Ord. No. 1987-9 Adopted: December 9, 1987
ARTICLE X -
112.1000 - FEES AND CHARGES
Table 1. Schedule of Residential Equivalents

21. Hotels or motels	0.25 per unit, plus restaurant, bar and meeting facilities at respective unit factors
22. Laundry, self-service	0.50 per washer
23. Mobile home park	1.0 per trailer space
24. Mobile home park with privately owned and maintained distribution system	0.7111 per trailer space
25. Office building	0.50 per 1,000 sq. ft.
26. Restaurants, food and beverage	0.0775 per seat
27. Restaurants, food only	0.0525 per seat
28. Schools	0.67 per classroom
29. Service stations	0.140 per pump
30. Snack bars, drive-in restaurants	0.10 per seat and/or stall
31. Stores - Other than Listed	1.0 per 6.6 full-time employees
32. Theaters - Drive in	0.008 per car space
33. Warehouse	0.10 per 1,000 sq. ft.
34. Single-Family Residence	1.0 per residence
35. Two-Family Residence	1.0 per residence
36. Motel Units with Complete Kitchen Facilities	0.50 per unit

Note: Minimum equivalent per customer shall not be less than 1.0.

For any use not specifically stated above, the residential equivalent shall be based on a similar use with water usage as indicated above.

(Ord. No. 1990-1, 1-18-90; Ord. No. 1990-2, 3-14-90)

ARTICLE XA

112.1000A CONNECTION TO TOWNSHIP WATER SYSTEM

112.1001.1A Findings.

Sec. 1.1. A public water System is essential to the health, safety and welfare of the people of the Township. Mandatory hook-ups to the Township Water System are necessary to ensure the orderly development and growth of the Township and of the Township's Water System so that the Water System can adequately service existing uses and new development.

(Ord. No. 1995-4, 7-12-95)

112.1001.2A Disconnection from System.

Sec. 1.2. No owner or occupant of any premises supplied with water from the Township Water System shall be allowed to disconnect therefrom and construct a new private water system or construct a private well.

(Ord. No. 1995-4, 7-12-95)

112.1001.3A Mandatory hook-up.

Sec. 1.3. Any owner or occupant of premises located within the Charter Township of Union, who is currently served by a private well shall be allowed to continue to utilize that private well. The owner or occupant shall be allowed to make repairs to the existing private well, and shall be allowed to drill a new well unless the Township Water Supply System is located in a right-of-way, easement, highway or public way which crosses, adjoins or abuts upon property passing not more than 200 feet at the nearest point from a structure to be served by water at the time that drilling a new well becomes necessary. If, at the time of drilling a new well [it] becomes necessary to maintain the water supply to the premises, the Township Water Supply System is located in a right-of-way, easement, highway or public way which crosses, adjoins or abuts upon property passing not more than 200 feet at the nearest point from a structure to be served by water, then the owner or occupant shall be required to connect to the Township Water System. Nothing herein shall be construed to prohibit continued use of or drilling of a new well exclusively for nonhuman consumption, agricultural uses, or for residential uses such as lawn sprinkling.

(Ord. No. 1995-4, 7-12-95)

ARTICLE XI

112.1100 POWERS AND AUTHORITY OF INSPECTORS

112.1101 [Right to enter, require or make repairs; identification.]

Sec. 1. Duly authorized employees of the Township shall have power and authority at all reasonable hours to enter upon any premises where water service is established for the purpose of testing, changing, or reading water meters, or for making general inspections of usage, wastage, etc., and making an examination of all pipes and fixtures connected with the said water works. They shall have power and authority to require any pipes and fixtures to be repaired, removed, replaced or changed where the same are defective or not in compliance with the provisions of this Ordinance, and they may make such alterations and repairs or do such other acts with relation thereto as they shall deem necessary. Employees engaged in such work shall be furnished with and shall prominently display appropriate evidence of identification.

112.1102 [Observance of safety rules.]

Sec. 2. While performing any necessary work on private properties referred to in Section 1 [112.1101] above, the duly authorized employees shall observe all safety rules applicable to the premises established by the owner thereof and the owner shall be held harmless for injury or death to such employees, except as such may be caused by the negligence or failure of the owner to maintain safe working conditions.

112.1103 [Inspection.]

Sec. 3. All work performed in making additions, connections, repairs, extensions or alterations of the Township Water System or of any water lines and appurtenances connected or to be connected thereto shall be subject to inspection by the Township which may order any part of such work discontinued or changed to comply with this Ordinance.

ARTICLE XII

112.1200 INTERRUPTIONS OF WATER SUPPLY

112.1201 Authority.

Sec. 1. The Township may interrupt the supply of water in any area served by the Township Water System for purposes of maintenance work, the making of repairs or modifications of the System, or to correct any conditions that may pose a hazard to the public health or to the proper functioning of the System.

112.1202 [Notice.]

Sec. 2. Wherever possible the Township will give advance notice to water users of interruptions in water service or curtailments of the supply of water.

112.1203 [Liability.]

Sec. 3. The Township does not assume any liability for loss or damage occasioned by interruptions in water service or curtailments in the supply of water.

ARTICLE XIII

112.1300 REMEDIES AND PENALTIES

112.1301 [Notice of violation.]

Sec. 1. Any person found to be violating any provision of this Ordinance, except the provisions of Sections 3 and 4 [112.1303 and 112.1304] of this Article XIII, shall be served by the Township with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

112.1302 [Continuing violations.]

Sec. 2. Any person who shall continue any violation beyond the time limit provided for in Section 1 [112.1301] of this Article, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding \$500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

112.1303 [Penalty for damaging, tampering with system.]

Sec. 3. Any person who shall willfully, maliciously or wantonly break, damage, destroy, uncover, deface, remove or tamper with any structure, appurtenance, pipe, valve, pumping station, or other equipment or installation that is a part of the Township Water System shall be guilty of a misdemeanor punishable by imprisonment in the County jail not to exceed 90 days, or by fine not exceeding \$500.00, or by both such imprisonment and fine.

112.1304 [Penalty for misrepresentation.]

Sec. 4. Any person who shall intentionally make a false statement, representation or certification in an application for a permit or in any report or statement of information required under this Ordinance shall be guilty of a misdemeanor, punishable by imprisonment in the County jail not to exceed 90 days, or by fine not exceeding \$500.00, or by both such imprisonment and fine.

112.1305 [Shut-off of water supply after notice.]

Sec. 5. The Township may shut off the supply of Township water to a property if:

- (a) It finds that any water lines, connections or appurtenances on the property are defective and fail to comply with the provisions of this Ordinance; and
- (b) The owner, after written notice as provided for in Section 1 [112.1301] of this Article, fails within the time limited in the notice to correct the defects and make the changes or repairs required for compliance with this Ordinance.

112.1306 [Immediate water supply shut-off.]

Sec. 6. The Township shall, without prior notice, shut off the supply of Township water to a property if it finds that conditions existing with respect to any water lines, connections or appurtenances on a property are such as to pose an immediate hazard to the public health or damage to the Township Water System.

ARTICLE XIV

112.1400 VALIDITY

112.1401 [Repealer.]

Sec. 1. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

112.1402 [Severability.]

Sec. 2. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

ARTICLE XV

112.1500 EFFECTIVE DATE

112.1501 [Adoption date.]

Sec. 1. This Ordinance was passed by the Township Board of The Township of Union on December 9, 1987.

112.1502 [Effective date.]

Sec. 2. This Ordinance shall take effect on February 12, 1988.