

TOWNSHIP OF STAMBAUGH WATER UTILITY ORDINANCE

NO. 9 AS AMENDED

An Ordinance to regulate the operation of the Water Utility of the Township of Stambaugh: to establish and prescribe the manner, payment, collection, and disbursement of water rates, assessment, charges, interest and collection fees for water, and provide expenses thereof; to provide for the enforcement of the collection of water service rates; to provide for the creation of a lien on the property of those persons failing to pay for water service furnished; to protect the water mains, hydrants, valves, meters and other township property used in connection therewith; and to provide for the punishment of persons violating the provisions of said ordinance:

The Township of Stambaugh Ordains:

Section I

GENERAL OPERATIONS

- 1. The Township of Stambaugh shall own and control all water mains and hydrants in the township streets, alleys, roads, highways, easements and all service connections from the water mains to and including the shut-off and the shut-off box. The property owner of the premises served by the Township Water system shall be responsible for the repair and maintenance of the water line to the shut-off box including the water meter and any maintenance and repair of the water meter.**
- 2. All water furnished to the consumer shall be metered: such meters to be gallon reading, remote reader (outside reading) type. When new water installations are requested a new meter can be purchased from the Township Water Department. The Township Water Department does not install or repair meters. However, an inspection is required upon completion of new installation or repair of existing meters. The cost of said meter thereof shall be paid by the owner or occupant upon making such arrangements as needed with the Township Clerk. Repairs of existing meters can be done by the customer or a licensed plumber. The customer will be responsible for the cost of said repairs. Parts can be purchased at a local hardware store as long as they are compatible with our remote read system. If parts are not available a new meter must be installed.**
- 3. Any authorized employee or officials of the Township Water Dept., when properly identified, shall be permitted to have access at any reasonable hour to any building or premises served by the Township Water Department for the purpose of reading, checking or the inspecting for ordinance compliance. A refusal to grant such permission for admission without reasonable cause shown for such refusal by the landowner, tenant or other occupant of building or premises, shall be sufficient ground for the Township to discontinue water service to the building or premises concerned.**
- 4. Meters shall be installed within the building served where suitable space is available. Meters must be accessible for readings and repairs, and be protected from damage due to freezing. Such space shall be provided by the owner. A meter pit will be required for all new unheated construction. Any new services installed such as outside taps, garages and seasonal dwellings will require a meter pit. It shall be unlawful to bypass any water meter in any way.**
- 5. The owner of any property is responsible for all water bills incurred by his tenants, employees or agents. The customer will be billed the minimum charge per quarter on lines such as pasture taps, yard hydrants, seasonal cottages and homes whether the water is on or off. Anyone wanting to discontinue service must contact the Township Water Department and the line must be completely removed from the Township main by Township personnel at the owner's expense. The customer will pay the full amount of the cost for digging and labor. This rate will be determined by the township.**
 - A. It shall be unlawful for any customer of the Township Water Supply System to permit any person or person to connect or use water from his initial water connection.**

B. It shall be unlawful for any person or persons to injure, damage, destroy or obstruct, or cause to be injured, damaged, destroyed or obstructed any of the Township water mains, hydrants valves or other Township property used in connection therewith.

C. It shall be unlawful for any person or persons to injure, damage or destroy, obstruct, alter or tamper with any water meter in the Township of Stambaugh.

D. It shall be unlawful for any property owner where a Township water main is on private property to place a building or structure over the water main. The new structure must be placed at least 10 feet from the Township water main. Where an existing building or structure was placed over a water main knowingly or unknowingly, the Township shall not be liable for any damage to the building or structure due to a water leak or the repair of a water leak.

E. It shall be unlawful for any person or persons to make use of the Township water supply for lawn or garden sprinkling during the time when sprinkling may have been forbidden upon notice of such ban on water sprinkling shall be given in the Reporter, or by such other means of notice as the Township Board may direct.

6. The Township of Stambaugh shall not be responsible to any consumer for any damage caused through the Township's ability or refusal to furnish water.

7. Customers wanting water turned on or off must contact the Township Water Department. All turn-ons and turn-offs must be done during normal working hours at a rate set by the Township. Water will not be turned on unless the customer or representative for the customer is present at the time of the job. In the event Township personnel is called out after hours for any reason, the customer will be billed for any overtime accumulated by the Township worker. This rate will be determined by the Township.

Section II

APPLICATION FOR SERVICE

1. Any person, persons, firm, corporation, public or private or any other legal entity desiring the use of water furnished by the Township Municipal water system shall make written application to the Township Clerk stating the street address and ownership of the residence, business or area to be furnished water and pay to the Township Clerk the rate established by the Township Board.

2. New water service line installation or water service line replacement is to be installed at a depth not less than 6 feet. If a new or replacement service line travels under a road or driveway, a depth of not less than 8 feet is required with 2 inches of Styrofoam insulation laid over the water line covering the distance under the road or driveway. New or replacement service lines must meet all AWWA underground standards. With minimum of 200 psi—copper must be type K—plastic must be of copper tubing size (c.t.s.) galvanized or Steel is not permitted. All service lines must be inspected by Township personnel before they are covered.

3. Private Wells: No private wells shall be drilled or maintained in the platted areas of the Township of Stambaugh. Where, in the determination of the Township Board, public water service is reasonably available to a particular building in which water service is required, no new private wells shall be drilled to provide such water supply and such building shall not be connected to the public water systems, either at the time of construction. When the existing private wells, if any, requires re-drilling, or at any time, in the determination of the Township Board or the State of Michigan Health Department a health hazard exists or is fairly imminent from the existing water supply.

4. Winter Water Running Rules—During the winter months when cold weather threatens water line freezing or winters with little snowfall that allow frost to penetrate deeper than normal depths, the Township may grant permission to run water only if the line passes under a roadway. The Township will not discount water bills for running water on lines or household plumbing that freezes on private property. The customer will be responsible for any damage caused by the use of an arc welder or any other means of line thawing to the Township shut-off.

5. Mobile Homes—Mobile homes without a foundation or Insulated crawl space shall provide a means to prevent the portion of water line from the ground to the place where the water line enters the floor of the mobile home from freezing.

Section III

RATES AND CHARGES

1. The Township Board shall establish a Price Control Schedule, which shall reflect charges incident to operation of each of the Township's water supply systems. The Price Control Schedule shall be on file at the Township offices.
2. The Township Board may make recommendations regarding changes in charges from time to time. The Township Board shall have the responsibility of establishing the charges in the Price Control Schedule.
3. In the event changes in the Price Control Schedule re-determined to be necessary by the Township Board, so as to reflect changes in existing costs of materials and labor and other expenses incident to operation of each of the water supply systems, the Township Board shall so adjust the Price Control Schedule accordingly, and will publish said adjustments in a newspaper of general circulation throughout the Township.

Section IV

CHARGES WHEN PAYABLE

1. For the purpose of making and collection charges and rates for water used by consumers, the calendar year shall be divided in four quarterly periods, and all rates and charges for water supplied in any quarter shall be paid within the succeeding quarter. Property owners are liable for all unpaid water bills or service charges incurred by their renters, tenants or lessees. Payments may be delinquent for six (6) months from and after the end of the quarter, and if not paid at the end of this time in full, the water will be turned off until all rates, service charges and interest are paid in full. All old bills outstanding at the time of the effective date of this Ordinance will be collected in the same manner upon proper notice to the property owners. The Township of Stambaugh shall collect all monies due under this Ordinance and payment thereof shall be made to the Township Clerk.

Section V

NON-PAYMENT FOR SERVICE TO BECOME LIEN

1. In the event that charges for water service are not paid within six (6) months after the end of the quarter for which said services have been billed, hereby declared to be delinquent and thereafter such delinquency shall constitute a lien upon the real estate for which service is supplied. On or before April 1st of each year, the Township Official in charge of the collection of such services shall deliver to the tax assessing office of the Township a certified statement of all water charges then past due and unpaid. The taxing officer of the Township shall place each of such charges respectively on the next general Township tax roll as a charge against the respective piece or parcel of real estate connected with such charge and the same shall be collected in the same manner as general Township taxes against such premises are collected. In addition to other remedies provided, the Township shall have the right to shut off and discontinue the water supply to any premises for the non-payment of water rates when due.

Section VI

UNLAWFUL ACTS

1. The Township shall be responsible for all repair and maintenance of the Township water mains, and it shall be unlawful for any unauthorized person to tap on to a township water main, or disturb any existing water connections without first applying to the Township Clerk for permission to do so: upon such application, the

Township Clerk shall notify or cause notice to be given to the Superintendent of the Water Department, who shall cause the necessary repairs or tap-in to be made.

Section VII

PENALTY

1. Any person or persons violating any of the provisions of this Ordinance shall be deemed guilty of a Municipal Civil infraction. Subject to a civil fine of not less than \$500. Plus costs and other sanctions as authorized by Chapter 87 of Act #236 of Public acts of 1961 as amended.

Section VIII

AMENDMENTS AND ADOPTION

1. The Ordinance may be amended by additions to, or deletions from, or alterations or corrections thereto, in the same manner as provided by law for the adoption of this Ordinance, PROVIDED, HOWEVER, that it shall only be necessary to publish the section or sections to be amended in the Ordinance.

Section IX

REPEAL, CONFLICTING ORDINANCES

1. Township Ordinance No. 4 and any other Township Ordinance or part or parts of Ordinances inconsistent herewith are hereby repealed and should any provision or section of this Ordinance be held invalid for any reason such holding shall not be construed as affecting the validity of any remaining portion of such provision or section of this Ordinance.

Section X

EFFECTIVE DATE

1. This Ordinance shall become effective on the 31st day after the first publication of this Ordinance. A true copy of this Ordinance shall be inserted in and published in the Iron River Reporter within ten (10) days after the passage thereof.

Date of passage: May 3, 1972 Date of Publication: May 10, 1972 Effective Date: June 9, 1972

Section I, Paragraph 2 amended on October 7, 1981 Published: October 14 1981 Effective Date: November 8, 1981

Section II, Paragraph I amended paragraphs 4 and 5 were added. Section III is totally amended. Section VIII penalty amount amended to \$500. Date of passage: April 7, 1982 Date of publication: April 21, 1982 Effective date: May 22, 1982.

Section I, Paragraph 1 & 2 amended, Section II added Paragraph 4B, Section III Paragraph 3 amended, Section IV Paragraph I amended, Paragraph VI, Paragraph 2 & 6 amended, added Paragraph 7, Section VII Paragraph I amended. Date of passage: April 3, 2001 Date of publication: April 10, 2001 Effective date: May 3, 2001

Section; add paragraph 2 and 7 Date of passage: May 7, 2003 Date of publication: May 14, 2003

Section 1 General Operations amended paragraphs 1, 2, 4, 6 deleted paragraph 5, and added new paragraph 7 Add billing explanation to new paragraph 5 and move unlawful acts A thru E to new paragraph 5. Section II Application for Service amended paragraph 2, 3, 7 deleted paragraphs 4, 5 on water main extensions. Date of passage: June 3, 2020 Date of publication: June 23, 2020 Effective date: July 1, 2020