

25.0400

**WATER SYSTEM ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 32 eff. May 26, 1979**

An Ordinance to make certain legislative findings; to provide for the connection of water customers to the Charter Township of Grand Haven water system; to provide for the imposition, collection and enforcement of charges, rates and fees for connection to the Township water system and the receipt of service therefrom; to provide for other matters relative to the operation, maintenance, repair and use of the Township water system; and to provide for the adoption of rules and regulations, construction specifications, and policies and procedures, for penalties for the violation of this Ordinance, administrative liability and the repeal of conflicting ordinances.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN
ORDAINS:

25.0401 Sec. 1 TITLE

This Ordinance shall be known as and may be cited as the "Charter Township of Grand Haven Water System Ordinance."

25.0402 Sec. 2 DEFINITIONS

In construing this Ordinance, the words and phrases hereinafter defined, unless the context clearly indicates otherwise, shall be given the meanings hereinafter set forth.

1. **“Private water supply system”** shall mean any water supply system with appurtenances which is connected to and designed to provide water supply service to more than one (1) structure, if it is determined to have been built in compliance with all applicable codes and regulations that would have applied to such water supply system if it had been constructed or installed by the Township.

2. The rate schedule attached as Exhibit A to the Charter Township of Grand Haven Water System Ordinance per Section 2.2 of that ordinance is updated and amended by the rate schedule attached as Exhibit AA to this Ordinance. Any portion of Exhibit A not addressed or affected by the attached Exhibit AA shall remain in effect as is.

3. **“System”** shall mean all water mains, water supply facilities, metering facilities, storage facilities, pumping stations, and their appurtenances which the Township has or shall have possession of and operating responsibility for (whether owned by the Township or not) either now in existence in the Township or hereafter acquired or constructed in the Township, together with all works, plants, instrumentalities, and properties used or useful in connection therewith in obtaining a water supply or in

the treatment or distribution of water, and all extensions, enlargements, and improvements thereto in the Township. The term "System" shall also include all individual water service lines and all appurtenances installed after January 1, 2007, from the street right-of-way to the water meter for the building, structure or other improvement served with water, including any meter pit and any back flow preventer installed with the meter pit.

4. **“Township”** shall mean the Charter Township of Grand Haven, Ottawa County, Michigan.
5. **“Township Board”** shall mean the Charter Township of Grand Haven Township Board.

25.0403 Sec. 3 CONNECTION TO THE SYSTEM

Connection to the System, directly or indirectly, and the use of water therefrom for all purposes shall only be in compliance with this Ordinance, as amended, and in compliance with all policies and procedures, construction specifications, and rules and regulations of the Township applicable thereto, as amended, and in compliance with all terms and obligations of any contracts to which the Township is a party. The Township is hereby authorized to contract with the owner or owners of a Private Water Supply System for connection of the Private Water Supply System to the System, and to make all agreements or conditions necessary or appropriate therefore, including, but not limited to, the collection of and remittance to the owner or owners of such Private Water Supply System of a portion of the actual construction costs of such water supply system by the owner or any structure or parcel served by or to be served by such system. Further, the terms of such contract for connection of Private Water Supply System may include a provision that such system is to thereafter, or at some later date, be owned by the Township.

25.0404 Sec. 4 LEGISLATIVE FINDINGS

The following legislative findings are made:

1. Potable Water. The Township Board finds that the businesses, industries, farms, schools, governmental agencies, charitable organizations, residents, and other water users located in the Township need to have potable water for consumption and other uses.
2. Availability of Potable Water. The Township Board finds that the supply of potable water available from private wells within the Township is insufficient, in most instances, due to poor water quality and/or lack of sufficient volume, to assure that businesses, industries, farms, schools, governmental agencies, charitable organizations, residents, and other water users will have sufficient potable water available for consumption and also sufficient water for business and industrial purposes, fire prevention and control, and other uses.

3. Method of Measuring Use. Based on the advice of the Township rate consultant, the Township Board finds that the most precise method of measuring the water provided by the System to a user is by a meter or meters controlled by the Township.
4. Continuity of Service. The Township Board finds that in order to provide and continue to provide water to all users of the System, in quantities necessary for all types of use, it is necessary from time to time to complete repairs, maintenance, reconstruction, and replacement to the System.
5. Purpose of Charges. The charges, rates, and fees for connection to the System and the use of water from the System are established pursuant to this Ordinance for the purpose of recovering the cost of the construction, reconstruction, replacement, maintenance, repair, and operation of the System and the cost of compliance with all applicable federal and state laws and related rules and regulations, and to provide for the payment of principal and interest on any bonds sold or other indebtedness incurred to finance the construction, reconstruction or other costs of the System. These charges, rates, and fees shall be assessed and be payable in accordance with the provisions of this Ordinance and shall apply to all users of the System. The charges, rates, and fees authorized by this Ordinance shall be established so as to recover costs from the System users in reasonable proportion to the cost of serving those users.

The Township Superintendent and appropriate Township staff, in consultation with the Township rate consultant, as necessary, shall periodically review the charges, rates, and fees of the System. The results of this review shall be periodically reported to the Township Board with recommendations for adjustments, if any.

6. Proportionality, Fairness, and Benefits of Rates and Fees. The Township Board finds that the fairest and most reasonable method of providing for System costs is to charge each user, based on the cost of servicing the customer, for: (i) the cost of purchasing water; (ii) ongoing repair, replacement, and reconstruction of the System; and (iii) the operation, administration, and maintenance costs of the System.
7. Water Service Charges. The Township Superintendent, and appropriate Township staff, in consultation with the Township rate consultant, have reviewed various methods of apportioning the costs for the water service provided by the System. Based on this investigation, and on the advice of the Township rate consultant, the Township Board finds that to ensure the stability and viability of the System for the benefit of its users, the fairest and most accurate way to apportion System costs is to charge each user: (i) a trunkage charge when a user's property is first connected to the System; (ii) a customer service charge; and (iii) a commodity rate for each 1,000 gallons of water used, as measured by a water meter. The Township Board finds that the charges, rates, and fees authorized in this Ordinance

fairly and accurately apportion the System fixed and variable costs among the users of the System and that the trunkage charge, the customer service charges, and the commodity rate provide actual benefits to System users in the form of ready access to water service that would not be available if those charges were not imposed.

8. Cash Reserve. The Township Board finds that it is necessary to maintain a cash reserve for the timely replacement of System assets and to maintain the financial stability of the System.
9. Trunkage Charges. The Township Board finds that the trunkage charge to be paid prior to connection to the System should reflect the investment of the existing water customers in the System, and that connection to the System provides an actual benefit to each new user equal to or greater than the amount of this charge. Further, the Township Board finds that the trunkage charge to be paid by each premises connecting to the System should be based on the size of the water meter which is installed. The Township Board further finds that the meter size fairly and reasonably computes, to the extent reasonably possible, the maximum potential water usage from the System by various types of water customers.

25.0405 Sec. 5 CONNECTION CHARGES AND FEES

The following charges and fees shall apply to all connections to the System:

1. Connection Charge. A connection charge for (1) the installation and use of a service line to the property line, unless this cost has been paid or assessed against the premises to be served or the service line has been constructed by a third party without expense to the Township, (2) the installation and use of a meter, (3) the use of a meter horn, and (4) all necessary inspections, shall be paid by each premises connecting to the System. The connection charge shall be paid in full at the time application is made for a permit to connect to the System in accordance with Section 10 hereinafter. The Township shall be the owner of the service line, the meter, and the meter horn. The amount of the connection charge shall be as provided in the Rate Schedule.
2. Trunkage Charge. All premises that connect to the System, which have not been included in a special assessment district which included as part of the assessment a trunkage charge, shall pay a trunkage charge. The trunkage charge shall be due and payable in full at the time application is made for a permit to connect to the System. The amount of the trunkage charge shall be as provided in the Rate Schedule.

Those premises included in a special assessment district where the trunkage charge component of the special assessment was determined based on a smaller size water meter than will actually be utilized at the time of connection, shall pay a trunkage charge at the time of connection.

This trunkage charge shall be equal to the difference between the current trunkage charge for the size of meter utilized to determine the special assessment and the current trunkage charge for the size of meter which is actually being installed.

Those premises which have previously paid a trunkage charge as part of a special assessment and/or at connection, and which are already connected, but which request a larger water meter, shall pay an additional trunkage charge. This additional trunkage charge shall be equal to the difference between the current trunkage charge for the size of meter that is presently installed and the current trunkage charge for the requested larger meter. This charge shall be paid at the time the larger water meter is requested.

25.0406 Sec. 6 OTHER CHARGES

The charges for special water services, such as the off and on charges, shall be as provided in the Rate Schedule. Any special water service for which a charge has not been established on the Rate Schedule shall be charged on a time and materials basis.

All such charges shall be paid in full at the time the service is provided.

25.0407 Sec. 7 WATER RATES

Rates for water supplied to each premises connected to the System, the customer service charge for each premises connected to the System, and the standby fire service connection charge shall be as is provided in the Rate Schedule.

No free service shall be furnished by the System to the Township or to any person, firm, or corporation, public or private, or to any public agency or instrumentality. The Township shall pay for water supplied to it or any of its departments or agencies at the rates established pursuant to this Section from time to time. In addition, the Township shall pay for the actual cost for the Township Public Works Department to maintain, repair, and replace fire hydrants located in the Township.

25.0408 Sec. 8 BILLING AND ENFORCEMENT

Charges for water users and enforcement of delinquency shall be administered as follows.

1. Commercial or Industrial Users (Non-Residential).
 - A. Billed Monthly. Non-residential accounts shall be billed on the 1st of each month for the previous month's usage, or, at the user's option, an estimated amount of the previous month's usage. Payment shall be due not later than the 17th day of the month in which the bill is sent.
 - B. Delinquencies. Bills, or any portion thereof, remaining unpaid

after the close of business on the 17th day, shall be deemed to be delinquent. After three (3) days, the penalty specified in the Rate Schedule on the unpaid balance shall be added to all delinquent bills; and a reminder notice shall be mailed to the non-residential account holder.

- C. Shutoff. If the non-residential account remains delinquent on the 30th day of the month the billing was sent, the Township shall serve notice, either in person or by posting in a conspicuous location on the premises, that unless the account is paid in full and in cash within seventy two (72) hours, measured from the close of business on the 30th day of the month of the billing, the water service will be discontinued without further notice.
- D. Settlement Month. Those non-residential users who elect to pay an estimated amount each month, based on the prior calendar year, shall in the January immediately following a year of estimated payments have their monthly bill adjusted to reflect the amount that the estimated payments they made for the prior calendar year exceeded or fell short of their actual metered usage.

2. Residential Users.

- A. Billed Quarterly. Residential accounts shall be billed on the 15th day of the month following the previous three (3) month period (“quarter”) of usage. At the user's option, the quarterly bill may be based on an estimated amount of the previous quarter's usage, rather than the actual amount. Billings shall be due and payable on or before the 15th day of the next month (for example: water usage for the quarter ending March 31 shall be billed on April 15 and due not later than May 15).
- B. Delinquencies. Bills, or any portion thereof, remaining unpaid after the close of business on the due date, or the first business day thereafter, shall be assessed the penalty specified in the Rate Schedule on the unpaid balance. Residential accounts whose bills are not paid within five (5) days after the due date, regardless of the day of the week upon which it falls, shall be mailed a reminder notice.
- C. Shutoff. If the residential account remains delinquent on the close of business on the 15th day after the due date, the Township shall serve notice, either in person or by posting in a conspicuous location on the premises, that unless the account is paid in full and in cash within seventy two (72) hours, measured from 5:00 p.m. of the 15th day following the due date, water service will be discontinued without further notice.

D. Settlement Month. Those residential users who elect to pay an estimated amount each quarter, based on the prior calendar year, shall in the next calendar year following a year of estimated payments have their first quarterly bill adjusted to reflect the amount that the estimated payments they made for the prior calendar year exceeded or fell short of their actual metered usage.

3. Estimated Payments.

A. The user may opt to make estimated payments during a calendar year, based on the actual usage during the prior calendar year. If so, the first payment by the customer during the next calendar year, after a calendar year of estimated payments, shall be used to correct, up or down, any difference between the actual usage and the estimated usage.

B. For example, a user may make estimated payments during 2014, based on the actual usage of 2013. If so, the first payment in 2015 shall be used to correct any difference between the estimated amount paid during 2014 and the actual usage during 2014.

4. Additional Enforcement.

A. Lien. Except as provided in subsection (e) below, charges for water shall constitute a lien on the property served. On or after November 1 of each year, the Township Treasurer shall deliver to the Township Supervisor a certified statement of all water charges and penalty charges thereon which are then six (6) months or more past due and unpaid. The Township Supervisor shall then place such charges on the next general tax roll and the same shall be collected and said lien shall be enforced in the same manner as provided for general Township taxes.
(ord. no. 465 eff. March 6, 2009)

B. Resumption of Service. Prior to the resumption of service, or the provision of new service to a prior delinquent account or customer, all unpaid charges due to the Township for water service shall be paid in full together with an additional penalty as provided in the Rate Schedule.

C. Escrow. The Township may, at its sole and complete discretion and protection, demand that an account escrow up to one hundred fifty percent (150%) of the average periodic water charges for that account to protect against non-payment. The demand for an escrow shall be based upon a history with the Township of non-payment or chronically delinquent payment of water charges. The right to demand an escrow shall apply to both residential and non-residential customers.

- D. Policies. The Township Board may, by resolution, adopt and amend policies and procedures and/or rules and regulations that provide for additional matters pertinent to billing and enforcement.
- E. Tenant Deposits. When the Township is properly notified in accordance with Section 21 of the Revenue Bond Act of 1933, Act No. 94 of the Public Acts of 1933, as amended (MCL 141.121), or in accordance with MCL 123.165, as amended, with a copy of the applicable lease if there is one, that a tenant is responsible for the water charges pertaining to a particular premises, then water service shall not be started or continued to that premises until a deposit has been made with the Township for that premises, sufficient to cover twice the average quarterly bill for water service to that premises, as estimated by the Township. The deposit shall be applied against any delinquent water charges for that premises. If the deposit satisfies the delinquency, water service shall not be discontinued for the premises, except that water service for the premises may be discontinued if the required deposit is not promptly replenished to its original amount. No deposit shall bear interest. Each deposit, or any remaining balance, shall be returned to the person the Township, in its discretion, determines is entitled to the deposit when water service is discontinued to the particular premises. Water service to the premises shall not be reinstated until any required deposit has been replenished to its original amount. A deposit which remains unclaimed for 365 days after notification or attempted notification by the Township shall revert to the water rate fund.
(ord. no. 465 eff. March 6, 2009) (amend. by ord. no. 508 eff. January 4, 2012)

25.0409 Sec. 9 FISCAL YEAR

The System shall be operated on the basis of a fiscal year beginning January 1 through December 31 of each year.

25.0410 Sec. 10 APPLICATION TO CONNECT

No connection shall be made to the System without obtaining a permit therefore. Application for such permit shall be made by the premises title holder or land contract purchaser and filed with the Township Superintendent or his or her representative(s). The Township Superintendent or his or her representative(s) shall issue such permit when all prescribed conditions have been met. Such permit shall be issued subject to the provisions of this Ordinance and all rules, regulations, policies and procedures, and construction specifications that are adopted by the Township Board pursuant to this Ordinance.

25.0411 Sec. 11 ANNUAL REPORT

The Township shall cause to be maintained and kept proper books of record and account in which shall be made full and correct entries of all transactions relating to the operation of the System. Not less than six (6) months after the close of each fiscal year of the System, the Township shall cause to be prepared a statement in reasonable detail showing the cash income and disbursements of the System at the beginning and close of the operating year and such other information as may be necessary to enable any taxpayer of the Township, user or beneficiary of the service provided by the System, to be fully informed as to all matters pertaining to the financial operation of the System during such fiscal year. Such annual statement shall be filed in the office of the Township Clerk where it will be open to public inspection. Such books of record and account shall be audited annually by a certified public accountant to be designated by the Township Board and a certified copy of such audit shall be filed with the Township Clerk. Such audit may be a part of the general Township audit.

25.0412 Sec. 12 PROHIBITION OF CROSS CONNECTIONS

Purpose of section.

The purpose of this section is to protect the public health, safety, and welfare by reducing the risk of cross connection contamination of the System. This section shall control all matters concerning the inspection, detection, prevention, and elimination of cross connections in new and existing industrial, commercial, and residential facilities.

Definitions.

The following words, terms, and phrases, when used in this section, shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning.

“**Backflow**” means water of questionable quality, wastes, or other contaminants entering a public water supply system due to a reversal of flow.

“**Cross connection**” means a connection or arrangement of piping or appurtenances through which a backflow could occur.

“**Safe air gap**” means the minimum distance of a water inlet or opening above the maximum high water level or overflow rim in a fixture, device, or container to which public water is furnished which shall be at least two (2) times the inside diameter of the water inlet pipe, but shall not be less than one (1) inch and need not be more than twelve (12) inches.

“**Secondary water supply**” means a water supply system maintained in addition to a public water supply including, but not limited to, water systems from ground or surface sources not meeting the requirements of Act No. 399 of the Public Acts of Michigan of 1976 (MCL 325.1001 et seq.) and by sections 3, 6, and 10 of Act No.

98 of the Public Acts of Michigan of 1913 (MCL 325.201 et seq.) as amended, and sections 9 and 427 of Act No. 380 of the Public Acts of Michigan of 1965 (MCL 16.101 et seq.) as amended, or water from a public water supply which in any way has been treated, processed, or exposed to any possible contaminant or stored in other than an approved storage facility.

“Submerged inlet” means a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture, or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.

Compliance with existing laws.

A connection with a public water supply system shall comply with Act No. 399 of the Public Acts of Michigan of 1976 (MCL 325.1001 et seq.) as amended, Act No. 266 of the Public Acts of Michigan of 1929 (MCL 338.901 et seq.) as amended, and the provisions of this Ordinance.

Prohibited connections.

Cross connection of the System and any other water supply system or source including, but not limited to, the following are prohibited:

Between the System and a secondary water supply, either direct or by submerged inlet;

Between a lawn sprinkler system and the System;

Between the System and piping which may contain sanitary waste or a chemical contaminant, including self-contained hydronic boiler systems;

Between the System and piping immersed in a tank or vessel which may contain a contaminant; and

Between the System and fire suppression systems.

Private water storage tanks deemed secondary water supply.

A private water storage tank supplied from the System shall be deemed a secondary water supply unless it is designed and approved for potable water usage.

Local control program.

The Township shall maintain a comprehensive control program for elimination and prevention of all cross connections. The program shall meet the approval of the Michigan Department of Environment, Great Lakes, and Energy, Division of Community Water Supply, or any successor agency.

Responsibility for expense of elimination of existing cross connections.

The expense of eliminating cross connections shall be that of the owner of the property on which the cross connection exists.

Inspection and backflow device testing.

The Township shall have the authority to inspect any premises to determine the presence of an existing cross connection and to order the immediate elimination of the cross connection. All backflow devices, shall be tested according to the requirements of Act No. 399 of the Public Acts of Michigan of 1976 (MCL 325.1001 et seq.) as amended. All new devices shall be tested upon installation prior to being placed in service. Testing shall be performed by an individual meeting the requirements of Act No. 399 of the Public Acts of Michigan of 1976 (MCL 325.1001 et seq.) as amended.

Identification for exposed System piping and secondary water supply piping.

When a secondary water supply is used in addition to the System, exposed System piping and exposed secondary water supply piping shall be identified by distinguished colors or tags, and maintained so that each pipe may be readily traced in its entirety. If piping is installed that is impossible to trace in its entirety, it will be necessary to protect the System water supply at the service connection in a manner acceptable to the Township.

Correction of violations; installation or use of protective devices.

Upon notification of a violation of this section, the owner of the property in question shall promptly correct such violations. The total time allowed for completion of the necessary corrections shall be contingent upon the degree of hazard involved and include the time required to obtain and install equipment. If the cross connection has not been removed within the time specified by the Township, the Township shall discontinue water service as provided in subsection 12 below.

Facility Fire Protection System Upgrade Requirement.

If any person, firm, or corporation extends an existing fire protection system, or makes other significant changes to existing fire protection system piping, the Township may require the fire protection system to be upgraded up to the latest backflow protection standards established by the Michigan Plumbing Code. Any fire protection system which contains any additives will be required to be protected by a reduced pressure zone device.

Discontinuance of water service upon delinquent device testing or when cross connection violates this section; elimination of danger of contamination.

The Township is authorized to discontinue water service after reasonable notice to any person, firm, or corporation owning any property where a cross connection in violation of this section exists or for delinquent testing of a backflow device. The Township may take such other precautionary measures as necessary to eliminate any danger of the contamination of the System water supply, including physical separation of the System. Water service to such property shall not be restored until the cross connection has been eliminated or delinquent testing has been completed, and until all fees for restoration of service have been paid.

(amend ord. no. 589, eff April 17, 2021)

25.0413 Sec. 13 WORK IN RIGHT-OF-WAY

All water system work in the street right-of-way or in public easements, including service lines to the property line, shall be constructed and performed by the Township or its agents or contractors.

The Township may waive this requirement if the party doing the work or contracting for the work deposits an adequate escrow amount with the Township, or otherwise posts adequate security for and acceptable to the Township (*e.g., performance bond, irrevocable bank letter of credit, etc.*).

(amend ord. no. 567, eff December 30, 2018)

25.0414 Sec. 14 METERS AND RIGHT OF ENTRY.

The Township Superintendent or his or her representative(s) shall have the right to enter at any reasonable time any premises connected to the System for the purpose of reading the water meter or otherwise inspecting the piping system or systems which are connected to the System. If any meter shall fail to register properly, the Township shall estimate the amount of water consumed based on prior billing periods and bill the water customer accordingly. A water customer may request that a water meter be tested for accuracy. If the meter is found accurate within two (2%) percent when tested in accordance with American Water Works Association Procedure C-700, as amended, or any similar procedure promulgated for the same purpose, the charge provided for in the Rate Schedule shall be made to the water customer. If the meter is not found to be accurate

within two (2%) percent when tested as provided above, the last quarterly water bill shall be adjusted accordingly, and the meter shall be repaired or a new meter shall be installed and no charge shall be made to the water customer either for the test or the meter repair or replacement.

To enter any premises connected to the System to read the water meter, the Township Superintendent or his or her representative(s) shall take the following steps, one step at a time, in the following order.

1. Attempt to reach the premises owner by telephone three different times in three different weeks, if a telephone number is known to the Township; if a telephone number is not known to the Township, then post a notice in a conspicuous place on the premises, three different times in three different weeks, stating that the owner must make immediate arrangements with the Township within seventy-two (72) hours from the posting for the Township to have access to the water meter.

2. Send a letter to the owner of the premises, by first class mail with postage prepaid, giving the owner seven (7) days to make immediate arrangements for the Township to have access to the water meter.

The posted notice and the mailed letter shall advise the owner of the premises that failure to comply will result in water service being discontinued without further notice. The Township then may discontinue water service to the premises seven (7) days after the first-class letter is sent, unless the Township has been provided access to the water meter.
(amended by ord. no. 577, eff. March 25, 2019)

25.0415 Sec. 15 SERVICE LINE INSTALLATION AND MAINTENANCE

The owner(s) of each premises to be served by water shall be responsible for the installation of the service line and all appurtenances from the street right-of-way to the building, structure, or other improvements served with water. The Township shall accept ownership of that service line and all appurtenances, if installed after June 1, 2007, from the street right-of-way to the water meter for the building, structure or other improvement served with water, including any meter pit and any back flow preventer installed with the meter pit. However, the Township shall accept that ownership only when satisfied that the service line and the appurtenances have been constructed in accordance with all Township requirements, in accordance with good construction practices, with material approved by the Township. The Township shall then be responsible to maintain that service line and the appurtenances.

The owner(s) of each premises to be served by water shall own and be responsible for the maintenance of each service line and all appurtenances, if installed on or

before June 1, 2007, from the street right-of-way to the building, structure, or other improvements served with water.

The maintenance standard, whether for the Township or the owner(s) shall be good condition with no leaks, breaks or other malfunctions.

25.0416 Sec. 16 ONE SERVICE LINE PER PREMISES

Unless otherwise authorized by the Township Superintendent or his or her representative(s) in writing, each premises with which the Township has a customer relationship for the provision of water service shall have a separate service line.

**25.0417 Sec. 17 REPAIR OR REPLACEMENT OF METER, METER HORN,
OR ANGLE VALVE**

If the meter, meter horn, or valves are damaged for any reason, or if the meter horn or valves are installed incorrectly, all required repair and replacement shall be at the expense of the premises owner(s). If the meter, meter horn, or valves malfunction or are defective, or if the meter is installed incorrectly, repair or replacement shall be at the expense of the Township.

25.0418 Sec. 18 DAMAGE TO SYSTEM FACILITIES

No person, except an employee of the Township, or other person duly authorized by the Township, shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the System.

25.0419 Sec. 19 FIRE HYDRANT USE OR OBSTRUCTION

No person, except an employee of the Township, or other person duly authorized by the Township, shall open or use any fire hydrant, except in case of an emergency, without first securing written permission from the Township Superintendent or his or her representative(s) and paying such charges as are provided in the Rate Schedule.

25.0420 Sec. 20 EMERGENCY CONSERVATION RULES

1. When weather or extraordinary conditions place unusual water use demand upon the System or when the System water supply or capacity is reduced due to mechanical failure, catastrophe, or other physical limitations, and low pressure or reduced volumes threaten the public health, safety, or welfare, the Township Superintendent or his or her designee is hereby empowered to make all rules necessary to conserve and preserve and protect the public health, safety, and welfare and the integrity of the System. Such rules may restrict or prohibit less essential water uses to the extent deemed necessary to assure an adequate supply for essential domestic and commercial needs and for firefighting.

2. Rules promulgated under this Section shall become effective immediately and shall remain in effect until modified or rescinded by further order of the Township Superintendent or his or her designee or by resolution of the Township Board.
3. Notification of rules promulgated under this Section shall be by any reasonable means and may include, without limitation, posting on the internet, e-mail, public announcement by broadcast from a radio or television station with a normal operation range in the Township, announcement by loudspeaker in the Township, publication in a newspaper of general circulation in the Township, and/or posting in public places within the Township.
4. The Township Superintendent or his or her designee may grant exceptions to these rules in cases where outdoor irrigation is necessary to perverse nursery stock or newly established landscaping which is required by Township codes or the Soil Erosion and Sedimentation Control Act or where necessary to prevent imminent financial loss to the water customer.
5. Any person who violates any rule made pursuant to this Section shall be fined as prescribed in Section 24 of this Ordinance.
6. The Township Superintendent or his or her designee shall have the power and authority to shut off and discontinue the water service provided to any water customer who violates any rule made pursuant to this Section. Water service shall only be restored at such time as the Township Superintendent or his or her designee is reasonably satisfied that future violations of rules promulgated pursuant to the Section will not occur and when the water customer has paid a turn-on charge to the Township in the amount provided in the Rate Schedule.
7. The enforcement of any rules promulgated under this Section may be by injunctive action. The fact a violation of a rule promulgated under this Section is a civil infraction shall not preclude the Township from instituting an appropriate action to prevent violation of any rules promulgated under this Section.

25.0421 Sec. 21 RULES AND REGULATIONS

The Township Board may from time to time adopt by resolution rules and regulations, construction specifications, and policies and procedures governing the type and quality of materials and accessories to be used for connection to the System, construction methods for connections to the System, and other operational, maintenance, and technical matters pertaining to the System. Violation of any such rule or regulation shall constitute a violation of this Ordinance and shall be subject to the fines and other remedies hereinafter prescribed in this Ordinance.

25.0422 Sec. 22 DISRUPTION OF SERVICE

The Township shall not be liable for any failure or deficiency in the supply of water to water customers whether occasioned by maintenance or repair of the System or any other cause.

25.0423 Sec. 23 SERVICE OUTSIDE CORPORATE LIMITS OF TOWNSHIP

In those instances where water service outside the corporate limits of the Township to City of Grand Haven water customers is provided for by the existing Agreement for water supply for the Township between the City and County, as amended, such water service shall be provided in accordance with such Agreement. In all other cases, the Township may provide water service from the System outside the corporate limits of the Township only if such water service is first approved by the Township Board and is not in violation of the Agreement referenced in the immediately preceding sentence. If such water service is approved, the Township Board shall, by resolution, provide for such connection charges, facilities charges, trunkage charges, debt service charges, water rates, stand-by fire charges, and other charges and assessments as the Township Board shall determine.

25.0424 Sec. 24 VIOLATIONS

Any person, firm, or corporation which violates the provisions of this Ordinance shall be responsible for a municipal civil infraction. The sanction for a violation of this Ordinance shall be a civil fine of not less than fifty dollars (\$50.00), plus costs and other sanctions. Increased civil fines may be imposed for repeated violations of this Ordinance by a person, firm, or corporation. A “repeat violation” of this Ordinance is a second or subsequent violation of this Ordinance committed by a person, firm, or corporation within six (6) months of a prior violation of this Ordinance, and for which the person, firm, or corporation admits responsibility or is determined to be responsible. The sanction for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than two hundred fifty dollars (\$250.00), plus costs and other sanctions. The sanction for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than five hundred dollars (\$500.00), plus costs and other sanctions. The Township Supervisor, the Township Superintendent, the Township Director of Public Works, the Township Assistant Director of Public Works, and the Township Attorney are authorized to issue municipal civil infractions for violations of this Ordinance.

25.0425 Sec. 25 ADMINISTRATIVE LIABILITY

No officer, agent, or employee of the Township shall render himself or herself personally liable for any damages that may occur to any person as a result of any act required or permitted in the discharge of his or her duties under and in the enforcement of this Ordinance, or any rules and regulations, specifications, or

policies and procedures adopted pursuant to this Ordinance. In the event of any conflict between this Ordinance and any rule, regulation, specification, policy or procedure, the provisions of this Ordinance shall control.

25.0426 Sec. 26 SEVERABILITY AND CAPTIONS

This Ordinance and the various sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby. Pronouns shall be read as masculine, feminine or neuter as may be appropriate. Captions appearing at the beginning of any section shall not be deemed a part of this Ordinance and shall have no independent significance.

25.0427 Sec. 27 REPEAL

Ordinance No. 32, as amended, is hereby repealed in its entirety as of the effective date of this Ordinance. All other ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance, as of the effective date of this Ordinance, are hereby repealed to the extent of such conflict.

25.0428 Sec. 28 EFFECTIVE DATE

This Ordinance was approved and adopted by the Township Board of the Charter Township of Grand Haven, Ottawa County, Michigan, at a regular Board meeting on November 23, 2020, after introduction and a first reading at a regular Board meeting on November 9, 2020, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective January 1, 2021.

EXHIBIT A
SCHEDULE OF WATER RATES & CHARGES
Effective January 1, 2016

Water Connection Charges

1. ¾" Meter = \$1,500 plus the 110% cost of the copper service piping, as determined by the most recent invoice from the supplier, from the corporation stop to the meter set. All copper piping must be purchased in either 60 or 100 foot increments. (*Owner or contractor may provide the copper service line to avoid the charge.*)
2. 1" Meter = \$1,600 plus the 110% cost of the copper service piping, as determined by the most recent invoice from the supplier, from the corporation stop to the meter set. All copper piping must be purchased in either 60 or 100 foot increments. (*Owner or contractor may provide the copper service line to avoid the charge.*)
3. Pretap with ¾" meter = \$700
4. Pretap with 1" meter = \$800
5. Larger than 1" Service Line or 1" Meter = Deposit of \$2,000. The charge will be the actual cost of the meter, meter set, copper service line, contractor costs (if any), plus 10% for overhead.

Water Trunkage Charge – Premises constructed after December 31, 1998 (For premises constructed prior to December 31, 1998, there is no trunkage charge for a new connection)

Meter Size	Amount
1" or less	\$ 856
1.5"	\$ 3,425
2"	\$ 6,085
3"	\$13,695
4"	\$24,350
6"	\$54,785

Other Charges

1. Meter upgrade is charged for actual labor costs, replacement meter, and any materials, plus 10% for overhead.
2. Hydrant rental requires a \$75 deposit. The fee will be \$20 for the rental of the meter plus the actual water usage.
3. Water turn on charge for delinquent accounts and cross connections are as follows:
 - a. \$30 during business hours
 - b. \$50 after business hours
4. Meter test charge is \$75
5. Late Fee Penalty for Water Utility bills is 10%

Commodity Charge Per 1,000 gallons

NOWS Water	Monthly	Q	Q1	Q2
\$2.43	Jan. 1, 2016	Jan. 1, 2016	Feb. 1, 2016	March 1, 2016
\$2.50	Jan. 1, 2017	Jan. 1, 2017	Feb. 1, 2017	March 1, 2017
\$2.57	Jan. 1, 2018	Jan. 1, 2018	Feb. 1, 2018	March 1, 2018

\$2.64	Jan. 1, 2019	Jan. 1, 2019	Feb. 1, 2019	March 1, 2019
\$2.71	Jan. 1, 2020	Jan. 1, 2020	Feb. 1, 2020	March 1, 2020

G. R. Water	Monthly	Q	Q1	Q2
\$2.81	Jan. 1, 2016	Jan. 1, 2016	Feb. 1, 2016	March 1, 2016
\$2.89	Jan. 1, 2017	Jan. 1, 2017	Feb. 1, 2017	March 1, 2017
\$2.97	Jan. 1, 2018	Jan. 1, 2018	Feb. 1, 2018	March 1, 2018
\$3.05	Jan. 1, 2019	Jan. 1, 2019	Feb. 1, 2019	March 1, 2019
\$3.14	Jan. 1, 2020	Jan. 1, 2020	Feb. 1, 2020	March 1, 2020

Monthly Residential Customer Service Charge for NOWS and Grand Rapids

Service Charge	Q	Q1	Q2
\$12.66	Jan. 1, 2016	Feb. 1, 2016	March 1, 2016
\$13.03	Jan. 1, 2017	Feb. 1, 2017	March 1, 2017
\$13.42	Jan. 1, 2018	Feb. 1, 2018	March 1, 2018
\$13.82	Jan. 1, 2019	Feb. 1, 2019	March 1, 2019
\$14.23	Jan. 1, 2020	Feb. 1, 2020	March 1, 2020

Monthly Commercial Customer Service Charge for NOWS and Grand Rapids

Meter Size	Jan. 1, 2016	Jan. 1, 2017	Jan. 1, 2018	Jan. 1, 2019	Jan. 1, 2020
¾" Meter	\$12.66	\$13.03	\$13.42	\$13.82	\$14.23
1" Meter	\$20.01	\$20.61	\$21.22	\$21.85	\$22.50
1½" Meter	\$40.47	\$41.68	\$42.93	\$44.21	\$45.53
2" Meter	\$66.74	\$68.74	\$70.80	\$72.92	\$75.10
3" Meter	\$158.56	\$163.31	\$168.20	\$173.24	\$178.43
4" Meter	\$360.80	\$371.62	\$382.76	\$394.24	\$406.06

Monthly Fire Line Charges for NOWS and Grand Rapids customers

Meter Size	Jan. 1, 2016	Jan. 1, 2017	Jan. 1, 2018	Jan 1, 2019	Jan. 1, 2020
6" or less	\$11.48	\$11.82	\$12.17	\$12.53	\$12.90
8"	\$23.12	\$23.81	\$24.52	\$25.25	\$26.00
10"	\$44.44	\$45.77	\$47.14	\$48.55	\$50.00
12'	\$68.90	\$70.96	\$73.08	\$75.27	\$77.52

(amend. by ord. no. 476 eff. May 23, 2010; amend by ord. no. 537 eff. November 1, 2015; amend by ord. no. 540 eff. March 10, 2016)

EXHIBIT AA

Commodity Charge Per 1,000 gallons

NOWS Water	Monthly	Q	Q1	Q2
\$2.76	Jan. 1, 2021	Jan. 1, 2021	Feb. 1, 2021	March 1, 2021
\$2.81	Jan. 1, 2022	Jan. 1, 2022	Feb. 1, 2022	March 1, 2022
\$2.86	Jan. 1, 2023	Jan. 1, 2023	Feb. 1, 2023	March 1, 2023
\$2.91	Jan. 1, 2024	Jan. 1, 2024	Feb. 1, 2024	March 1, 2024
\$2.96	Jan. 1, 2025	Jan. 1, 2025	Feb. 1, 2025	March 1, 2025

G. R. Water	Monthly	Q	Q1	Q2
\$3.19	Jan. 1, 2021	Jan. 1, 2021	Feb. 1, 2021	March 1, 2021
\$3.24	Jan. 1, 2022	Jan. 1, 2022	Feb. 1, 2022	March 1, 2022
\$3.29	Jan. 1, 2023	Jan. 1, 2023	Feb. 1, 2023	March 1, 2023
\$3.34	Jan. 1, 2024	Jan. 1, 2024	Feb. 1, 2024	March 1, 2024
\$3.39	Jan. 1, 2025	Jan. 1, 2025	Feb. 1, 2025	March 1, 2025

Monthly Residential Customer Service Charge for NOWS and Grand Rapids

Service Charge	Q	Q1	Q2
\$14.23	Jan. 1, 2021	Feb. 1, 2021	March 1, 2021
\$14.23	Jan. 1, 2022	Feb. 1, 2022	March 1, 2022
\$14.23	Jan. 1, 2023	Feb. 1, 2023	March 1, 2023
\$14.23	Jan. 1, 2024	Feb. 1, 2024	March 1, 2024
\$14.23	Jan. 1, 2025	Feb. 1, 2025	March 1, 2025

Monthly Commercial Customer Service Charge for NOWS and Grand Rapids

Meter Size	Jan. 1, 2021	Jan. 1, 2022	Jan. 1, 2023	Jan. 1, 2024	Jan. 1, 2025
¾" Meter	\$14.23	\$14.23	\$14.23	\$14.23	\$14.23
1" Meter	\$22.50	\$22.50	\$22.50	\$22.50	\$22.50
1½" Meter	\$45.53	\$45.53	\$45.53	\$45.53	\$45.53
2" Meter	\$75.10	\$75.10	\$75.10	\$75.10	\$75.10
3" Meter	\$178.43	\$178.43	\$178.43	\$178.43	\$178.43
4" Meter	\$406.06	\$406.06	\$406.06	\$406.06	\$406.06

Monthly Fire Line Charges for NOWS and Grand Rapids customers

Meter Size	Jan. 1, 2021	Jan. 1, 2022	Jan. 1, 2023	Jan 1, 2024	Jan. 1, 2025
6" or less	12.95	\$13.40	\$13.65	\$13.90	\$14.15
8"	\$29.50	\$29.50	\$29.50	\$29.50	\$29.50
10"	\$50.50	\$51.00	\$51.50	\$52.00	\$52.50
12'	\$86.00	\$86.00	\$86.00	\$86.00	\$86.00

EXHIBIT AA

COS Water Trunkage Fees

Meter Size	Amount
1" or less	\$ 905
1.5"	\$ 3,625
2"	\$ 6,445
3"	\$14,505
4"	\$25,785
6"	\$58,020