

FRENCHTOWN CHARTER TOWNSHIP WATER SYSTEM ORDINANCE
Ord. No. 201; Date of Adoption: February 2002

An Ordinance to regulate the operations of the Frenchtown Charter Township Water Treatment and Distribution System; to establish water service connection charges; to establish water consumption rates; to regulate water supply connections.

THE CHARTER TOWNSHIP OF FRENCHTOWN HEREBY ORDAINS:

Section 1. Operation of Public Water System.

1.1 **Authority.** The Township Board (or the Water Department, subject to Township Board approval) shall have the authority to promulgate rules regulating the operations of the Water Department, and the responsibilities and duties of customers of the Water Department. The operation, maintenance, and management of the public water supply system of the Charter Township of Frenchtown shall be under the immediate supervision and control of the Township Board of Frenchtown Charter Township. The Frenchtown Charter Township Board may create a Department of Public Works and delegate the responsibilities contained in this Ordinance to said Department. Unless the Township Board creates a Department of Public Works, any references in this Ordinance to "Water Department" shall mean the Township Board of Frenchtown Charter Township or its authorized designee.

1.2 **Definitions.** The definition of the terms used in this Ordinance shall be as follows:

1. Board: The governing body of the Charter Township of Frenchtown.
2. Connection Charge: A charge consisting of two components, those being a raw water supply fee and a watermain extension fee.
3. Curb Cock, Service Cock, or Curb Stop: A valve at or near the property line for use by the Department and owned by the Township.
4. Direct Connection: A connection of a structure made to a watermain.
5. EGLE: Michigan Department of Environment, Great Lakes and Energy.
6. Meter: A measuring device to measure water as it is being used, for use by the Water Department and owned by the Township and including all appurtenances thereto.
7. Meter Blank: A short piece of pipe, which is the actual length of the meter that is issued to a property owner for installation in the service line.
8. Property Owner: The owner of the real property that is or is to be connected to the Frenchtown Charter Township Water System or their duly authorized agent.
9. Raw Water Supply Fee: A component of the Connection Charge established by this Ordinance being the amount established by the Township Board in the

Schedule of Rates and Charges multiplied times the number of RE's as determined for the parcel.

10. RE: Residential Equivalent as established by the Schedule of Rates and Charges adopted by the Township Board.
11. Remote Reader: A device which is an appurtenance of and attached to the meter for the purpose of enabling the Department to read the meter by use of an automatic radio based meter reading system.
12. RPZ: Reduced Pressure Principal Backflow Preventer.
13. Schedule of Rates and Charges: A schedule adopted by resolution of the Township Board pursuant to this Ordinance for purposes of establishing the rates and charges to be imposed pursuant to this Ordinance. Such schedule may also be amended from time to time by resolution of the Township Board.
14. Service Line: Pipe situated between the curb stop and the meter, which is installed and owned by the property owner.
15. Supervisor: The Supervisor of Frenchtown Charter Township.
16. Tap Branch or Supply Pipe: Pipe situated between the watermain to and including the curb stop and box which is installed and owned by the Township
17. Tap Fee: The charges imposed by the Township for the physical construction of the water service line.
18. Township: The Charter Township of Frenchtown, a Michigan Municipal Corporation located in the County of Monroe in the State of Michigan.
19. Water Line or Watermain: Any pipes which are four (4) inches in diameter and greater and which are constructed within the Township for purposes of conveying or for the distribution of water.
20. Watermain Extension Fee: A component of the Connection Charge established by this Ordinance to equitably assess the cost of construction and extension of watermains and to provide for the future expansion and maintenance of the system as set forth in the Schedule of Rates and Charges.

Amended by Ordinance No. 201-2, May 25, 2004.

Amended by Ordinance No. 201-4, April 10, 2007.

Amended by Ordinance No. 201-5, December 10, 2019.

Amended by Ordinance No. 201-6, November 23, 2021.

Amended by Ordinance No. 201-7, November 15, 2022.

Section 2. Use of Public Water Supply System.

2.1 **Consumer Demand:** Water consumers are not guaranteed any specific quantity of water.

- 2.2 **Conformance with Township Standards:** Any extension of or to the Township's water supply system shall be designed and constructed in accordance with the Township's Watermain Construction Specifications and Standards Ordinance, the Township's Standard Watermain Details and Notes and the Township Engineering Design Standards Ordinance and applicable state law.
- 2.3 **Fire Sprinkler Systems:** Where pipes are provided for fire protection on any premises or where hose connections for fire apparatus are provided, no water shall be taken through such opening or hose connection for any purpose other than for extinguishing fires, except for the purpose of testing such fire equipment.
- 2.4 **Fire Hydrants:** Fire hydrants may be opened and used only by Township personnel or by such persons as may be specifically authorized by the Township. No person shall, in any manner, obstruct or prevent free access to any fire hydrant by placing or storing temporarily or otherwise any object or materials of any kind within twenty (20) feet of any fire hydrant. The Township Board shall determine annually, the amount if any to be paid by the general tax funds of the Township to the Township water fund for hydrant rental.

Amended by Ordinance No. 201-6, November 23, 2021.

Section 3. Water Emergency.

- 3.1 **Authority and Affected Area:** The Township Supervisor or Township Utility Director, subject to ratification by the Township Board at its next regularly scheduled Board meeting, may declare a water emergency. When a water emergency has been declared, all customers of the Township water supply system shall comply with the provisions of this section.
- 3.2 **Sprinkling Prohibition:**
 - 3.2.1 When the Supervisor or Utility Director finds that conditions exist which result in an unusually high draw on water capacity and such conditions make it necessary to prohibit the sprinkling of lawns, the Supervisor shall cause to be put into effect a lawn sprinkling prohibition in a manner prescribed in this section.
 - 3.2.2 Once in effect, the prohibition under this section shall remain in effect until terminated by announcement of the Supervisor or Utility Director in accordance with this section. While the prohibition is in effect no person shall sprinkle lawns.
- 3.3 **Public announcement of emergency required:** The Supervisor or Utility Director shall cause such declaration made by him or her pursuant to this section to be publicly announced by means of broadcasts from stations with a normal operating range covering the Township and nearby areas, and he or she may cause such declaration to be further announced in a newspaper of general circulation when feasible. Each announcement shall describe the action taken by the Supervisor or Utility Director including the time it became or will become effective. The Supervisor or Utility Director shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section.

- 3.4 **Termination of lawn sprinkling prohibition:** Whenever the Supervisor or Utility Director shall find that conditions which gave rise to a lawn sprinkler prohibition pursuant to this section, no longer exist, the Supervisor or Utility Director may declare this prohibition terminated.

Amended by Ordinance No. 201-6, November 23, 2021.

Section 4. Building Water Supply and Connections.

- 4.1 **Unauthorized Connection Prohibited:** No unauthorized persons shall uncover, make any connections with or opening into, use, alter or disturb, any public water main or appurtenance thereto or the connection system between the public main and an individual structure, including the structure's meter, without first obtaining a written permit from the Water Department.

4.2 **Connections:**

- 4.2.1 **Connection Requirements:** All connections of the public water supply to any premises including connection to the public main, pipelines to meters and meters shall be made by the Water Department or its designee upon payment of all fees and approval of all permits as required by this Ordinance and the Water Department. The water distribution system from the public main to and including the curb stop shall be controlled and owned by the Township. All construction work on a building connection system shall require a permit as set forth herein and shall be subject to the inspection of the Water Department. No back filling or other covering work shall be done without the work being inspected and approved.

- 4.2.2 **Inspection and Permit Requirements.** The property owner or their agent shall make all connections. If the property owner's agent performs the work, then the agent shall be required to be a licensed plumber or licensed contractor who has been approved by the Department for performing this type of work. The plumber or contractor may be required to furnish evidence of a current license by the State of Michigan. All customer service lines shall be subject to inspection. Inspection shall be made after the pipe is installed in the trench and before the trench is backfilled. Backfilling of the trench before visual inspection is made, may be grounds for requiring the uncovering of the pipe prior to approval. The Township Water Department must approve installation. The property owner or contractor installing the waterline to the residence or building shall be permitted to do so provided that he (a) applies for a permit from the Water Department, (b) pays the permit fee established by the Township, (c) does the work in accordance with the regulations of the Township, (d) applies to the Water Department for the water connection and (e) receives the approval of the Water Department. All details of a building connection system including service locations, valves and meter placement, shall be subject to the approval of the Water Department. Further, materials used for connections shall be as specified in the Frenchtown Charter Township Watermain Construction Specifications and Standards Ordinance, as amended.

- 4.2.3 **Pressure, Bacteriological and Chlorination Testing Requirements for Service Lines of 3" or Greater.** For all new connections of service lines of 3" or greater, the property

owner shall be required to request from the Water Department, a bacteriological, and chlorination inspection and pressure testing of the new water service line prior to approval for usage and service.

- 4.2.4 Pressure Testing Requirements for Service Lines of Less than 3". For all new connections of service lines of less than 3" which contain a coupling, spliced line or other joints, the property owner shall be required to conduct a pressure test of the new water service line prior to approval for usage and service. Such pressure test shall be conducted for at least a period of ten minutes at 100 psi in the presence of the Township Water Department.

Amended by Ordinance No. 201-6, November 23, 2021.

Amended by Ordinance No. 201-7, November 15, 2022.

4.3 **Meters:**

- 4.3.1. **Ownership and Location:** All water furnished to structures through the Township's public water supply system shall be measured by a meter or meters installed, owned and controlled by the Township. All meters shall be installed in a livable and accessible area inside the building except as set forth in Section 4.8. herein. All water meters shall be sealed and no one other than an authorized employee or agent of the Water Department shall break such seal. In the event that the Water Department finds a seal on a water meter to be broken or ineffective, the Water Department shall replace the meter seal and place the charge for it on the water bill of the property owner.
- 4.3.2. **Additional Meter:** The owner of a structure, upon application and paying such costs and fees as determined from time to time by the Water Department, may have an additional meter installed for the separate metering of water used for lawn sprinkling or other use where the water used does not pass through the sanitary sewage disposal system. Duplex residences shall have separate meters installed for each dwelling unit. Dwellings under separate ownership may have separate meters installed for each dwelling unit upon payment of such costs and fees as determined from time to time by the Water Department.
- 4.3.3. **Master Meters:** Any other use including but not limited to apartments, mobile home parks, campgrounds and commercial and industrial structures shall have a master meter installed at a location to be determined by the Water Department. The Water Department shall read the master meter and shall bill the property owner based on a reading of the master water meter installed and approved by the Water Department.
- 4.4 **Repairs:** The cost of all repairs, maintenance and replacements of connecting systems (the supply system from the public main up to and including the shut-off valve at the curb stop approved by the Township) shall be borne by the Township except where the damage requiring repair was due to negligent or willful actions of the owner or occupant of the premises or an agent or licensee of said person(s). The cost of all repairs, maintenance and replacements of service lines (the line from the shut-off valve at the curb stop up to and including the structure's meter(s) and all appurtenances thereto) shall be borne by the property owner.

Amended by Ordinance No. 201-2, May 25, 2004.

- 4.5 **Inspections:** Water Department personnel shall have access, at all reasonable hours, to inspect any premises supplied with water, and the fact that the owner or occupant of such premises accepts and uses water supplied by the Township's public water supply system shall constitute a consent to the making of such inspection. No person shall refuse to admit authorized representatives of the Township to any premises for such purposes. In case any authorized representative is refused admittance, or is in any way hindered in making the necessary inspection, or examination, the water may be turned off for such premises after giving twenty-four (24) hours written notice to the owner or occupant thereof by posting such notice at the premises or by first class mail.

Amended by Ordinance No. 201-2, May 25, 2004.

- 4.6 **Materials:** The Water Department shall approve all fittings, connection and materials used. All materials used in a connection system shall be in accordance with the Frenchtown Charter Township Watermain Construction Specifications and Standards Ordinance, as amended, and with the following requirements:

4.6.1 Taps, Service Size and Materials.

- A. All original taps and services, including Tap and service line shall be at least 1" in diameter unless the Department gives approval of a smaller tap and service.
- B. Services of less than 2" shall be type "K" soft copper AWWA C-800 specifications or polyethylene water service tubing AWWA C-901 pressure class 160. The tubing shall be "NSF" approved.
- C. Services of 2" to 3" shall be type "K" soft copper AWWA C-800 specifications, PVC (polyvinyl chloride) plastic pressure pipe stamped "NSF" as defined by ASTM. D1785. Schedule 80 PVC fittings shall be in accordance with ASTM D2467 or polyethylene water service tubing AWWA C-901 pressure class 160.
- D. Services 4" and over shall be ductile iron pipe with a cement lining AWWA C-104 and C151 or PVC pipe AWWA C900, pressure class 150 DR18. No other type of material such as iron, steel or galvanized iron shall be used from the curb stop to and including the meter setting.
- E. A separate full port ball valve with a handle, of the same size as the meter connections shall be placed on the service pipe on both sides of the meter. Such valves shall be of a standard quality and make. (Blank stock for spacing for the meter will be furnished by the Water Department).
- F. Piping must be supported so that it will carry the weight of the meter (5/8" x 3/4" approximately 5 lbs).
- G. Bypasses and RPZ's are required on all 1 1/2" and larger commercial and industrial meter installations. Fire systems and irrigation systems shall have appropriate backflow prevention devices installed as described in Section 9.6. Bypasses will not be required on meters smaller than 1 1/2".
- H. All services 1 1/2" or larger must have a tee between the meter and the outlet valve, to be used for testing the water meter without its removal. The size of the side opening of the tee shall be 2" for all service pipes up to and including 4" and 3" for all larger service pipes. The side opening of such tee shall be plugged and the plug sealed.

- I. The customer service lines should be without joints, from the meter to the curb stop. Couplings or approved joints may be used with the approval of the Water Department. The pipe shall have a full waterway throughout, equal to the inside diameter of the pipe. Pipe ends shall be reamed to remove any obstruction of the flow of water.
- J. All plastic service lines shall be required to have copper tracer wire #12 run with the line to assist the Township with water line tracing in the future if necessary.

Amended by Ordinance No. 201-2, May 25, 2004.

Amended by Ordinance No. 201-4, April 10, 2007.

Amended by Ordinance No. 201-5, December 10, 2019.

4.6.2 Property Owner Service Line Installation Requirements.

- A. All pipe outside of the building from the main to the meter shall be a minimum cover of earth of 48" and/or surface materials such as pavement or gravel. Service lines in crawl spaces and unheated buildings must be sufficiently protected to prevent freezing. (Special permission may be granted by the Water Department for less cover where warranted.)

Amended by Ordinance No. 201-2, May 25, 2004.

- B. The property owner's service line shall be installed in a direct line from the house to the street. If the service line enters the building from the side, it shall be installed at right angles to the street and as close to the building as local conditions permit. The customer's service line should not be laid closer than five feet to any drain, sewer, gas line or other underground facility unless constructed with materials as set forth in and required by the State of Michigan Construction Code. At least 18 inches of the customer's branch pipe shall extend beyond the point where the curb box is set which normally is 12 inches toward the watermain from the property line and marked by stake. The customer's branch pipe shall also be "pigtailed" or bent up so as to leave no less than one foot of pipe visible above grade. The end of customer's line must be left so no foreign objects can enter pipe. The property owner's service line shall be so valved and/or controlled that after it is connected to the tap branch, the curb stop valve can be left open without the loss of water. The service line must be installed, inspected and connected into the meter blank prior to installation of the tap by the Department.

Amended by Ordinance No. 201-1, April 8, 2003 and by Ordinance No. 201-2, May 25, 2004.

- C. All new customer service lines will be subject to a pressure test, which must be witnessed by the Water Department. Such test shall be conducted for a period of at least ten minutes at 100 psi. Water will not be turned on for customer use until the customer service line passes the test. The Water Department reserves the right to system pressure test all customer service lines and to require passage of a pressure test prior to turning water back on for service lines shut down for repairs.

Amended by Ordinance No. 201-6, November 23, 2021.

- D. Chlorination, hydrostatic and bacteriological testing shall be required prior to approval for use of a service line or main 3” or greater in size.
- E. As to any testing required pursuant to the Ordinance, the property owner shall be responsible for requesting and setting up inspections from the Water Department. There shall not be a charge for the initial chlorination test by the Water Department. As to additional testing requested, a fee as established by the Township for same shall be paid by the requesting party.

Amended by Ordinance No. 201-2, May 25, 2004.

4.6.3 Water Extensions.

The total expense of extending watermains shall be borne by the benefited property owners in accordance with provisions of a contract or by special assessments. Any watermain extension must be located in, on or near the front road right of way, running the full width of any property to be served by the proposed watermain, and it shall be more or less parallel to said front road right of way. If an existing watermain does not run the full width of the property proposed to be served, then the property owner must cause the watermain to be extended along the front road right of way for the full width of the property to be served before connection will be permitted. Where the Township Board in its discretion determines that it is appropriate to do so, it may permit connection without extension upon conditions it deems appropriate, including entering into an agreement which shall be recorded with the Register of Deeds Office and which shall run with the land so as to protect the possibility of the extension in the future. The Water Department may permit connections on corner lots where a watermain does not run along the front road right of way on both sides, but does run the full width on at least one side.

4.7 **Separate Services.**

4.7.1 Single Structures.

A separate and independent building service shall be provided for every building. In situations where one building stands at the rear of another on an interior lot of the same parcel and no water main is available or can be constructed to the rear building through an adjoining court, yard, or driveway, then, with Township Board approval, the building service from the front building may be extended to the rear building.

4.7.2 Subdivisions and Condominiums.

In any proposed subdivision or single-family site condominium development, the property owner shall be required to install service at curb stop for every proposed building site, which curb stop shall be located in the center of each lot. All watermains constructed shall be directly on the right of way line and on the same side as the storm sewer mains.

Amended by Ordinance No. 201-2, May 25, 2004.

4.8 **Meter Pits.** In the event that a service line will be more than 300 feet from the right of way or easement containing the watermain to the residence a meter pit shall be required. Meter pits shall not otherwise be permitted except in cases where the Water Department deems it necessary or acceptable as a result of special circumstances. In instances where a meter pit is approved or required, the meter shall be installed in an underground vault abutting the right of way or easement. The meter pit and vault must be constructed according to the plans and specifications approved by the Water Department. The additional cost for the meter pit materials as well as for larger sized meters if necessary, shall be the responsibility of the property owner. Upon the recommendation of the Township Water Department and good cause shown, the Township Board may waive the requirement for the installation of a meter pit.

Amended by Ordinance No. 201-3, November 28, 2006.

4.9 **Disconnections.** In the event that water service must be disconnected for structure demolition or other planned purposes, the property owner shall make application to the Water Department no less than thirty business days prior to date the water is to be disconnected. The meter will be removed and water disconnection effected by the Water Department. In the event of a building fire or other hazard, the Township Fire Department may direct the Water Department to effect the disconnection. The costs of disconnection either at the request of the property owner or by the Township shall be paid by the Property Owner in the amount established by the Township and as set forth in the Schedule of Rates and Charges.

Amended by Ordinance No. 201-2, May 25, 2004.

4.10 **Reconnections.** A meter will be reconnected by the Water Department upon the payment of the required reconnection fees established by the Township and as set forth in the Schedule of Rates and Charges.

Amended by Ordinance No. 201-2, May 25, 2004.

Section 5. Water Consumption Charges.

5.1 **Charges:** Rates and fees shall be charged to all premises connected to the water supply system as provided in this Ordinance.

5.2 Water Consumption Charges.

5.2.1 **Water rates and charges.** Rates sufficient to provide for the payment of the expenses of administration and operation of the water system and such expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order; to provide for the payment of the interest upon and principal of all bonds payable therefrom, as and when the same shall become due and payable, and for the creation of a reserve; and to provide for such other expenditures and funds for the system as are required by law, shall be fixed and revised from time to time by the Township Board so as to produce the aforementioned amounts. Said revisions shall be by resolution of the Township Board. Formal amendment of the Frenchtown Charter Township Water System Ordinance, as amended, setting rates for water

consumption shall not be necessary. All rate changes shall be published at least twice in a newspaper or newsletter of general circulation within the Township.

5.2.2 **Water Rates for Service Outside Township.** Water connections to premises outside Township boundaries shall be charged at a rate of up to 200% of the current Township rate for property owners or customers.

5.3 **Sewer Billing Adjustments.** Sewer billing adjustments are made on a case-by-case basis only and any complaints concerning a bill that resulted from a water leak at any point after the meter, must be verified by the Water Department prior to any repairs. Adjustments may be made if the Water Department can verify that the water leaking from the service line did not enter the sewer collection system. This verification does not always warrant an adjustment. The Water Department must be able to determine an “average bill” by averaging as many as six previous bills to determine a fair adjustment. In the event that an average bill cannot be established, adjustments may be denied. Adjustments are in the sole discretion of the Monroe Metropolitan Sewer Control Board. Sewer adjustments shall not be available for master metered accounts due to the fluctuation of usage created by intermittent vacancies.

5.4 **Billing.** Charges for all water services rendered by the system shall be billed and collected at least quarterly. The frequency of billings shall be established from time to time by resolution of the Township Board. All bills paid on or before the day of the month specified on the billing notice shall be without penalty, but if unpaid by said date shall thereafter be considered delinquent and shall be subject to an amount determined from time to time by the Township in accordance with section 5.2 of this Ordinance.

5.5 **Enforcement of Collection.** The Water Department is hereby authorized to enforce the collection of charges for water service to any premises by discontinuing the water service to such premises and legal action may be instituted by the Township against the customer to collect payment of charges. The charges for water service are a lien on the premises serviced under the provisions of Act 94, Public Acts of 1933, as amended. The Township Treasurer shall, annually on September 1, certify all unpaid charges for such service furnished to any premises which, on August 31 preceding, have remained for a period of six (6) months to the Township Supervisor and Clerk who shall place the same on the next township tax roll. Such charges so assessed shall be collected in the same manner as general township taxes. Where water service to any premises is turned off to enforce the payment of water service charges, such services shall not be reconnected until all delinquent charges have been paid, and there shall be a turn on charge as determined from time to time by the Township Board in accordance with section 5.2. In such or any other case where, in the discretion of the Township Utility Director, the collection of charges for water service may be difficult or uncertain, the Township Utility Director may require a deposit of three (3) times the average quarterly water service bill for said premises as estimated by the Township Utility Director. Such deposit may be applied against any delinquent water service charges and the application thereof shall not affect the right of the Water Department to turn off the water service to any premises for any delinquency thereby satisfied. No such deposit shall bear interest and such deposit, or any remaining balance thereof, shall be returned to the customer making the same

when he shall discontinue receiving water service, provided that said customer has informed the Water Department of an appropriate forwarding address.

Amended by Ordinance No. 201-4, April 10, 2007.

Amended by Ordinance No. 201-5, December 10, 2019.

Section 6. Connection Charges.

The intent of this section is to provide a method by which Frenchtown Charter Township can be reimbursed for its capital expenditures by those customers who benefit from the expenditures and additionally to provide a means for funding the future expansion and improvement of the Township Water Supply System. The connection charge shall consist of two components.

The first component shall be the raw water supply fee (also commonly referred to as the R.E. fee) which shall be the amount established by the Township Board in the Schedule of Rates and Charges adopted pursuant to this Ordinance multiplied by the number of residential equivalents as determined for the parcel and served by said connection as determined pursuant to the Schedule of Rates and Charges, as amended, adopted by Frenchtown Charter Township for residential equivalents and as may be amended from time to time by resolution of the Township Board.

The second component shall be the watermain extension fee which shall be in the amount set forth in this Ordinance and/or in the Schedule of Rates and Charges adopted pursuant to this Ordinance, as amended and as may be amended from time to time by resolution of the Township Board.

For each connection to any public watermain of the Township, there shall be paid, prior to such connection, a connection charge as follows:

6.1 Connections within per parcel special assessment districts:

For connections within a watermain special assessment district, which was created on a per parcel basis, the connection charge shall be the sum of the following charges:

- 1) Raw water supply fee (also referred to as the R.E fee).
- 2) Watermain extension fee as set forth in the Schedule of Rates and Charges for each particular special assessment district. This component shall be calculated by the Township Board so as to equitably provide for the extension of water within a given special assessment district area.

- 6.1(a) A property owner shall receive a special assessment credit to be applied to the water main extension fee for a property that has or is being specially assessed for the watermain extension. The amount of the credit shall be equal to the amount of special assessment levied against the property for water main extensions. This section shall not relieve the property owner of the obligation to pay the special assessment. The full and complete payment of the special assessment or the obligation to make payment pursuant to the special assessment roll, of the parcel on the special assessment roll (without abatement, reduction or exemption by the Michigan Tax Tribunal or any other court or tribunal or pursuant to Act 116 or any other local, state or federal law) shall dictate parcels entitled to the credit referred to herein.

- 6.1(b) If a parcel is divided after the special assessment roll is confirmed, the entire special assessment credit shall be attributed to the parent parcel. Pursuant to state law, the newly created parcel(s) is not obligated to pay the assessment, and thus shall not be entitled to the special assessment credit toward the watermain extension fee. Any firm, person, corporation or entity who or which splits or creates a new parcel after a special assessment roll is confirmed shall be required to provide actual notice to all purchasers of the newly created parcel(s), of the connection charge required prior to creation of the parcel in the Township.
- 6.1(c) The newly created parcel as described in Section 6.1 (b) shall be required to pay prior to the approval of the division, the watermain extension fee as set forth in the Schedule of Rates and Charges adopted pursuant to this Ordinance.
- 6.1(d) All revenues received by the Township from water main extension fees pursuant to this Section 6.1, shall be applied to the special assessment district fund originally created for the area in which the connecting premises is located. If at the termination of said district, the fund contains excess monies as set forth in Act 188 of 1954, as amended, the excess monies shall be distributed in accordance with the requirements of the state statute under which the district was created. Revenues received after termination of the district shall be applied to the Township water plant fund for the funding of capital improvements, the expansion and extension of public mains in the Township and/or other purposes that may be prescribed by the Township Board.

6.2 Connections within per front foot special assessment districts

For connections within a watermain special assessment district, which was created on a per foot basis, the connection charge shall be the sum of the following charges:

- 1) Raw Water Supply fee (also referred to as the R.E. fee).
- 2) Watermain extension fee in the amount of the per foot cost for the special assessment district. No watermain extension fee shall be imposed so long as the per foot special assessment has been paid or is obligated to be paid for the full width of the real property frontage.

6.3 Connections not within special assessment districts.

For each structure that makes a connection to a watermain that is not within a special assessment district, the property owner shall be required to pay a connection charge prior to connection, which shall consist of the following:

- 6.3(a) Raw Water Supply Fee (also referred to as the R.E. fee).
- 6.3(b) Watermain Extension Fee. The watermain extension fee for connections made pursuant to this Section 6.3 shall be in the amount established by the

Township Board in the Schedule of Rates and Charges adopted pursuant to this Ordinance.

6.3(c) Exception to Watermain Extension Fee Requirement for those parcels not located within a special assessment district. In certain circumstances, private entities have expended monies to construct watermains for purposes of servicing private development. Where a watermain is extended with private funds and not by the Township or through a special assessment district and where property owner can sufficiently demonstrate and document to the Township that he or his successor in interest has paid for all of the costs of the improvement for the full width of the parcel frontage, said property owner shall not be required to pay the watermain extension fee portion of the connection charge.

6.4 **Required Charges.** No free water 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 cost of water connections from the system to private premises shall not be paid from the proceeds of the bond issue financing such systems, or from the revenues of the system. The Township shall pay for all water used by it at the established rates.

Section 7. Meters.

7.1 **Cost of meter installation:** The property owner shall be responsible for the cost of the meter, meter setting and all appurtenances, including but not limited to the remote reader. All meters and required backflow preventers must be purchased from the Water Department.

Amended by Ordinance No. 201-2, May 25, 2004.

Amended by Ordinance No. 201-4, April 10, 2007.

Amended by Ordinance No. 201-5, December 10, 2019.

7.2 **Standards:**

7.2.1 All meter installation shall be in accordance with standards established by the Water Department and shall be approved by the Water Department before water is supplied to the premises.

Amended by Ordinance No. 201-4, April 10, 2007.

7.3 **Style and location:**

7.3.1 All meters shall be of the style and character adopted by the Water Department and shall be conveniently located at a point approved by the Water Department.

7.3.2 When a building is remodeled or renovated, and access to the meter is changed, the owner of said building shall notify the Water Department that shall inspect the location of the meter. The Water Department shall order any necessary action to be taken to ensure continued access to the meter.

7.4 **Responsibility to maintain meters:** The Water Department shall maintain meters and all appurtenances thereto including but not limited to the remote readers, insofar as ordinary wear is concerned. The property owner shall pay for damage due to freezing or hot water or other external causes.

Amended by Ordinance No. 201-2, May 25, 2004.

Amended by Ordinance No. 201-5, December 10, 2019.

7.5 **Department authorized to inspect, test meters, connections:** The Water Department reserves for its representatives, the right, at any reasonable time, to read and inspect meters and connections including service lines, or to test any meter which, in the judgment of the Water Department, is not registering properly or is in need of repairs.

7.6 **Conclusiveness of meter readings:** Where water is furnished by meter, the quantity recorded by it shall be considered conclusive by both the applicant and the Water Department except when the meter has been found to be registering inaccurately or has ceased to register. If the meter has ceased to register, the quantity may be estimated from the average registration for a similar period during the year just passed or for such other time period as is deemed necessary by the Township in order to most accurately determine quantity.

7.7 **Tests at request of consumer:**

7.7.1 In case of a disputed account involving the accuracy of a meter, the meter shall be tested at the request of the consumer and if he further desires, in his presence.

7.7.2 In the event that the meter so tested is found to have an error in registration of four (4) per cent or more, the bills will be increased or decreased accordingly over the entire period of the current bill, unless it can be shown that the error is due to an accident or other cause, the exact date of which can be determined, in which case it shall be figured back to such time.

7.7.3 If the meter so tested shall be found to be accurate within the limit herein specified, a fee shall be paid to the Township by the consumer or placed on the water bill of the consumer requiring such a test, but if not so found, then the cost thereof shall be borne by the Water Department. If after initial testing, additional testing is requested, it shall be done in the discretion of the Water Department and at the cost of the property owner.

7.7.4 The amount of the fee for the testing of meters shall be at the current rate as established by the Township and set forth in the Schedule of Rates and Charges.

Amended by Ordinance No. 201-2, May 25, 2004.

Section 8. Private Water Systems and Private Fire Service Mains.

Amended by Ordinance No. 201-6; November 23, 2021

- 8.1 **Private Water Systems:** The provision of water service for human consumption or sanitary purposes to any premises other than by the public water system, if permitted by law, shall be provided by a system complying with the provisions of this section.
- 8.2 **Standards, Private Systems:** The type, capacities, location, layout and water quality of a private water system shall comply with all requirements of state law, all standards of EGLE as established pursuant to Act No. 399 of the Public Acts of 1976 as amended or other applicable statute and with all standards of the Monroe County Health Department, and shall be constructed and connected in accordance with the Building and Plumbing Codes and other requirements and standards of the Township.

Amended by Ordinance No. 201-6, November 23, 2021.

8.3 **Private Fire Service Mains.**

- 8.3.1 Fire Service Main installation(s) shall be installed and comply with NFPA 24 (latest edition) and Section 507.2.1 of the most current edition of International Fire Code adopted by the Township.
- 8.3.2 Fire Service Mains shall be inspected, tested and maintained according to NFPA 25 (latest edition) per NFPA 24, Section 14.1.
- 8.3.3 Compliance reports are required to be submitted to the Frenchtown Fire Department and Frenchtown Water Department annually.
- 8.3.3(1) Failure to comply shall constitute a civil infraction as set forth in the Township International Fire Code Ordinance and Section 2 of Township Ordinance No. 226 as amended.
- 8.3.4 Discontinuance of Private System. At such time as use of private water system, including wells, storage tanks, and similar private facilities shall be abandoned for water supply purposes, suitable steps shall be taken to insure that groundwater contamination or injury to persons shall not result from said abandoned, private system.

Amended by Ordinance No. 201-6, November 23, 2021.

Section 9. Cross Connections Prohibited.

- 9.0 **Cross Connections (Commercial and Residential).** Commercial and Residential cross connections as hereinafter-defined are deemed to be a potential serious threat to the safety of the citizens of the Charter Township of Frenchtown.

Amended by Ordinance No. 201-7, November 15, 2022.

9.1 **Definitions. As Used in This Part:**

- (a) "Backflow" means water of questionable quality, wastes, or other contaminants entering a public water supply system due to a reversal of flow.

- (b) "Cross connection" means a connection or arrangement of piping or appurtenances through which a backflow could occur.
- (c) "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.
- (d) "Secondary water supply" means a water supply system maintained in addition to a municipal type 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 1976 (Michigan Safe Drinking Water Act), as amended being sections 325.1001 to 325.1023 of the Administrative Rules Compiled Laws, or water from 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. A private water storage tank supplied from a public water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water usage.
- (e) "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 waste, or other contaminant and which is unprotected against backflow.
- (f) "Water utility" means a governmental unit, municipal or private corporation, association, partnership, or individual engaged in furnishing water to the public for household or drinking purposes.

9.2 **Compliance With Statutes and Township Ordinances.**

A connection with a public water supply system shall comply with existing laws, ordinances and rules including:

- (a) Act No. 266 of the Public Acts of 1929, as amended, being sections 338.901 to 338.917 of the Michigan Compiled Laws.
- (b) The Frenchtown Township Plumbing Code, this Ordinance and all other sections of the Frenchtown Township Ordinances, as amended, pertaining to plumbing, water supply and sewage disposal.

9.3 **Cross Connections Prohibited.**

- (a) A cross connection shall not be made between a public water supply system and a secondary water supply.
- (b) A cross connection shall not be made by submerged inlet.
- (c) A cross connection shall not be made between a public water supply and piping which may contain sanitary waste or a chemical contaminant.

- (d) A cross connection shall not be made between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.
- (e) A cross connection shall not be made between public water supply system and a private water system.

9.4 **Inspections.**

It shall be the duty of Water Department and/or its designated agent to cause inspections to be made of all properties served by the public supply as is deemed possible. The frequency of inspections, follow-ups and reinspections based on potential health hazards involved shall be as established by the Water Department and approved or required by EGLE, but in any event shall be no less than annually. Individuals responsible for carrying out the cross connection inspections and reinspections shall have obtained necessary training on cross connection prevention and attendance of training sessions sponsored by EGLE or other recognized agencies. In addition, those individuals shall be certified by EGLE in the S4 Distribution Operator Classification or greater.

Amended by Ordinance No. 201-6, November 23, 2021.

- (a) The water utilities responsibilities in a cross connection program are divided into two (2) functions:
 - (1) Requiring backflow prevention devices for both existing and new systems; and
 - (2) Requiring a maintenance program.

Initially, a survey shall be made to determine the degree of hazards to the public water supply. The survey shall include the usage points within an internal piping system. The initial schedule of inspections shall be arranged so that the most crucial establishment will be inspected and brought into compliance as soon as possible with the schedule for inspections of those less hazardous installations to follow. After initial inspections high and low hazard facilities shall be reinspected per Section 14.10 Reinspection Table 3 of the DEQ Cross Connections Rules Manual, as amended. The schedule for reinspection of all cross connections is to make certain acceptable means of protection are in place and in proper working order.

Inspection and reinspection schedules and procedures are necessary in initiating and maintaining a satisfactory cross connection control program. It is possible to intentionally or inadvertently bypass any protection device; therefore, protection devices shall be routinely checked, tested and maintained.

- (b) In order to determine backflow protection requirements of new buildings, additions or renovations, the Water Department shall review preconstruction plumbings plans and have cause for site inspection during and or immediately following construction.
- (c) A user of public water shall obtain the written approval of the Water Department as to any proposed corrective action or protective device before use or installation.

- (d) The total time allowed for completion of the necessary corrections of impermissible cross connections shall be contingent upon the degree of the hazard involved and shall consider the time required to obtain and install equipment. If the cross connection has not been removed after a reasonable period of time (not to exceed 90 days), beginning at time of the initial follow up or reinspection for low hazard facilities services and not to exceed thirty (30) calendar days for high hazard facilities, the Water Department shall physically separate the public water supply from the on-site piping system in such a manner that the two (2) systems cannot again be connected by any unauthorized person. In the event that the separation cannot be completed, the Water Department may disconnect all water service.

9.5 Protective Devices.

All devices used to protect the public water supply from cross connections must be approved by the Water Department and MDEQ. The MDEQ has prepared a list of approved mechanical devices by name, model number and size, which are available at the Township of Frenchtown Water Plant. For any commercial or industrial service line of 1-1/2 inches or larger, a reduced pressure zone and bypass shall be required. Any variation of proposed devices must be submitted to the water utility and approved by the MDEQ. Any protective device that is not housed completely within a structure must be housed in a vault that meets the requirements of the Township.

9.6 Application of Protective Devices.

- (a) Beverage dispenser protection: The water supply connection to carbonated beverage dispensers shall consist of a minimum double check valve with an intermediate atmospheric vent that is in compliance with American Society of Sanitation Engineers Standard 1021-72 (ASSE 1012-72). The ASSE 1012-72 device and the piping downstream of this device shall not be affected by carbon dioxide gas.
- (b) Connections to boilers: Potable water connections to all boilers and boiler feed systems in which boiler water conditioning chemicals are introduced shall be made through air gap or provided with an approved reduced pressure zone backflow preventer located on the line when such chemicals are introduced.

Only low pressure boilers not subject to chemical treatment shall be required to be equipped with a double check valve assembly or better on the water supply line to the boiler.

On untreated boilers the owner or agent installing or servicing the unit shall submit affidavit to the effect stating there have not been chemical treatment additives added into the boiler. If chemical treatment is to be added to an untreated boiler the owner or installer shall first secure a plumbing permit and provide protection to the water supply by either air gap or reduced pressure zone backflow preventer.

- (c) Connections to automatic sprinkler systems and connection subject to backpressure: All above ground storage and elevated tanks shall have minimum double check valve assembly. All direct tapped or separate wet fire systems or looped systems with chemicals added and not constructed with approved potable water pipe shall have a

minimum double check valve assembly or two (2) independent check valves in tandem with test cocks to ensure testing of said valves.

- (d) All other device applications in question must meet with local plumbing codes, the Michigan Plumbing Code and approved by the Water Department.

9.7 Testing of Devices:

The water user shall, at his/her own expense install, operate, test and maintain an approved backflow preventer. All reduced pressure principal backflow devices, all pressure vacuum breakers and double check valve assemblies, shall be tested and repaired (if required) at least every twelve (12) months or whenever deemed necessary by the Water Department. A person approved by the Water Department and EGLE shall make all testing and maintenance. That individual shall be a licensed and certified backflow technician. This person shall also certify the results of his/her testing. Records of such test results shall be maintained and submitted to the Water Department. The report shall list the materials and replacement parts used. Such record or log shall be available on site for review upon request by the Water Department.

The Water Department shall notify the customer when his device is due for testing. This procedure will be facilitated by use of a form letter including a list of devices requiring testing. The Water Department shall maintain sufficient and accurate records of its local Cross Connection Program, so as to report annually on the state of the Township of Frenchtown program to EGLE.

Amended by Ordinance No. 201-6, November 23, 2021.

9.8 Right of Entry:

The representative(s) of the Water Department shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the Township of Frenchtown 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 piping 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 cross connections.

9.9 Discontinuation of Water Service When in Violation:

The Water Department is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this Ordinance exists or where entry for inspection purposes is refused, and to take such precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply 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 and the requirements of the Water Department.

9.10 Corrections:

The Water Department and/or EGLE may allow a violation to be corrected utilizing existing piping and facilities and where desired or necessary, protective devices.

Amended by Ordinance No. 201-6, November 23, 2021.

9.11 Piping Identification:

When a secondary water source is used in addition to a public water supply system, exposed public water and secondary water piping shall be identified by distinguishing colors or tags and so maintained that each pipe may be traced readily in its entirety. It is hereby deemed to be necessary to protect the public water supply at the service connection in a manner acceptable to the MDEQ. Piping identification color codes as listed on Table 1 (see attached) shall be used. Proposed variations must be filed and approved by the Water Department. In place of color-coding, paint, tags or labels may be used when approved by the Water Department.

9.12 Protection of Potable Water and Warning Requirement:

The potable supply made available on the properties served by the public water supply shall be protected by this Ordinance and by State and Township plumbing code from possible contamination. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the public water supply system must be labeled in a conspicuous manner as:

WATER UNSAFE FOR DRINKING

Amended by Ordinance No. 201-4, April 10, 2007.

9.13 Records:

The Water Department shall have complete and accurate reports and records. These records shall include: the name of user; the type of hazard involved; the location within the facility with existing and potential cross connections; the type of protection required for the cross connection; the location of protective devices required; the dates and results of each inspection and reinspection; the status of the methods and protective devices installed; and the findings of any inspection or reinspection.

All reinspections and tests and any required repairs or protective devices shall be made with the results recorded on forms provided by the Water Department.

An annual report shall be submitted to and on standard form to the MDEQ concerning the status of the Cross Connection program.

Section 10. Water Quality Standards.

- 10.1 **State Standards:** All water supplied through public water system shall be of such quality as to comply with the requirements of Public Act No. 399 of the Public Acts of 1976 and the rules promulgated by the Department of Public Health pursuant to said Act.

Section 11. Prohibited Conduct.

- 11.1 It shall be unlawful for any person, except authorized employees of the Water Department acting in their official capacity, to tap, change, remove, disconnect, repair, install, break a seal, turn on, turn off, or in any way operate or molest any water mains, water connections, meters, valves, hydrants, fitting or other appurtenances of the Water Distribution System, except that a customer may turn on and turn off the water at a valve adjacent to the premises' meter.
- 11.2 It shall be unlawful to operate any valve, hydrant or other appurtenance of the water system with any tool or device other than an approved wrench or key, which has been stamped or marked in a distinctive way. The Water Department shall keep a record of all wrenches and keys issued to any division of the Water Department, and any other department of the Township and shall approve them for use or shall require replacement of any wrench or key that is not suitable for use.
- 11.3 When a fire service line is installed on a premises or parcel of land, it shall be unlawful to use water through such line(s) for filling the private fire system and its appurtenances. This prohibition shall be in effect regardless of whether the fire line is metered or not. Tests of private fire systems shall be made at such times as authorized by the Water Department in order to protect the Township Water System.
- 11.4 It shall be unlawful for any person, other than a licensed Water Department employee acting in the course of his or her duties, to operate or change setting of any valve device or appurtenance to the Water Treatment Plant or Water Distribution System, except in an emergency and then only at the direction of the Township Supervisor.
- 11.5 It shall be unlawful to cover up or obstruct in any way free access to any curb box, street valve or outside meter register unit, meter, meter pit or other appurtenance of the water system, including but not limited to driving or parking over curb stops. In case of violation of this paragraph, the cost of removing the obstruction and/or restoring the appurtenance to its proper accessible position, plus a surcharge of twenty-five (25) percent shall be charged to the owner in addition to any other action taken by the Water Department.

Amended by Ordinance No. 201-5, December 10, 2019.

- 11.6 It shall be unlawful to permit a leak on a service line to continue beyond 24 hours. It shall be the property owner's responsibility to repair any leak that occurs on a customer line between the curb stop and the meter. In the event that the Water Department gives notice to an owner or consumer that a leak exists on a private service line or fire line and the leak is not repaired within 24 hours, then the water service to the premises will be shut off at the curb stop without further notice. Water service to the premises will not be resumed until the property owner has made the necessary repairs and those repairs have been approved by the Water Department.

Further, the estimated volume of water lost shall be billed to the owner. The Water Department's estimate shall be reasonable and binding.

11.7 It shall be unlawful for any person to ground or electrically connect any radio, television, telephone or other electrical system to any pipes or appurtenances connected to the discharge side of the water meter, unless:

- (1) A shunt is placed around the water meter so as to shunt or bypass any electrical current that might otherwise flow through the water meter; or
- (2) Ten (10) feet or more of the conductive water pipe connected to the discharge side of the water meter is buried in moist earth.

Any shunt placed around the water meter shall be so placed that the meter may be removed without disabling the same, and no electrical connection whatever shall be made to the meter itself, or to the meter union or to the meter "tail piece". The "tail piece" shall be defined as a short piece of pipe that is immediately adjacent to the meter and connected thereto by the meter union.

Section 12. No Liability.

The Township shall not be responsible for interruptions in service due to natural calamities, equipment failures, or actions of the system users. It shall be the responsibility of the customer that all connected equipment remains in good working order. No claim shall be made against the Township by reason of the breaking away of any pipe, service cock, or for any other interruption of the water supply.

Section 13. Appeal.

A person aggrieved by a decision of the Township as to any connection charge or other charges imposed, may appeal that decision to the Township Board, provided that the appeal is filed with the Township Clerk within 21 days of the decision as to the connection charge or the issuance of a billing for other charges.

Amended by Ordinance No. 201-2, May 25, 2004.

Section 14. Enforcement.

The Water Department, the Township Supervisor, Township Building Official, and Township Plumbing Inspector have the authority to issue appearance tickets to persons in violation of the provisions of this Ordinance pursuant to Public Act No. 359 of 1947, Act No. 366 of 1984 as amended and Act No. 147 of 1968. Such authority shall extend into all jurisdictions serviced by the Frenchtown Charter Township Water Supply System as if the system were entirely located within the Township.

Section 15. Violation - Penalty.

15.1 **Criminal Penalty.** Any person, firm or corporation, including, but not by way of limitation, builders and contractors who shall violate, neglect, or refuse to comply with or who resists the

enforcement of any of the provisions of this Ordinance or conditions of the, Township Board or the Water Department adopted pursuant thereto, on conviction thereof, shall be punished by a fine not to exceed Five Hundred (\$500.00) Dollars and costs of prosecution, or by being imprisoned in the County Jail for not more than ninety (90) days, or both such fine and imprisonment at the discretion of the Court. Each day that a violation is permitted to exist shall constitute a separate offense.

15.2 **Civil Damages.** In addition to other enforcement methods, the Township may seek civil remedies to which it may be entitled, for violation or non-payment. Any violation of this ordinance is hereby declared to be a nuisance per se and an action may also be brought in a court of competent jurisdiction for injunctive relief for the immediate abatement thereof and for permanent abatement thereof.

15.3. **Shut Off of Water Services.** In addition to other remedies, the Township shall have the right to shut off and discontinue the supply of any water to any premises for nonpayment of water rates and charges when due or for noncompliance with the terms of this Ordinance. Such shut off shall be in accordance with the procedure approved and adopted by the Township Board.

Section 16. Repeal.

Ordinance Nos. 166 and 172 and any amendments thereto and all Ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed.

Section 17. Severability.

This Ordinance and the various parts, sections, subsections, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance, and each section, subsection, phrase, sentence and clause thereof, irrespective of the fact that any one or more sections, subsections phrases, sentences or clauses be declared invalid.

Section 18. Effective Date.

This Ordinance shall become effective thirty days after passage and publication in a newspaper having general circulation in Frenchtown Charter Township.

**FRENCHTOWN CHARTER TOWNSHIP
WATER SYSTEM ORDINANCE NO. 201
SCHEDULE OF RATES & CHARGES**

**Adopted February 12, 2002
Amended May 11, 2004
Amended April 11, 2006
Amended October 23, 2007
Amended November 10, 2009
Amended September 28, 2010
Amended April 12, 2011
Amended October 11, 2011
Amended October 9, 2012
Amended April 8th, 2014
Amended October 14th, 2014
Amended October 13, 2015
Amended October 11, 2016
Amended October 10, 2017
Amended October 9, 2018
Amended November 26, 2019
Amended October 13, 2020
Amended November 23, 2021
Amended November 15, 2022**

Section 1. Basis of Charges.

All water service shall be charged on the basis of water consumed as determined by the meter installed at the premises of water customers by Frenchtown Charter Township. No free water service shall be furnished to any person.

Section 2. Water Rates.

A. Service Inside Township. Effective January 1, 2022 the rates to be charged for water service shall be Two Dollars and Ninety-Seven Cents (\$2.97) for one hundred (100) cubic feet. Effective January 1, 2023 the rates to be charged for water service shall be Three Dollars and Twenty-Six Cents (\$3.26) for one hundred (100) cubic feet.

B. Service Outside Township. Rates to be charged for water service to premises outside Township boundaries shall be charged at 1.94 times the rate set forth in Section 2A above.

Section 3. Monthly Fixed Fee.

In addition to the consumption charge, each water customer shall pay a monthly fixed fee for every meter on site, which fee shall be based on the customer's meter size and which shall be without regard to water usage. Fixed fees are as follows:

Meter Size (in inches)

5/8.....	\$ 4.15
1.0.....	\$ 5.23
1.5.....	\$ 9.39
2.0.....	\$ 13.40
3.0.....	\$ 26.08
4.0.....	\$ 46.10
6.0.....	\$ 69.45
8.0.....	\$ 109.49
10.0.....	\$ 209.33
12.0.....	\$ 267.66

Section 4. Connection Charges.

The Water System Connection Charge consists of two components, (1) the raw water supply fee and (2) the watermain extension fee as set forth and defined in the Township Water System Ordinance. The charges for those two components are as follows:

A. Raw Water Supply Fee

The raw water supply fee portion of the connection charge shall be assessed against previously unserved property which is being developed for a more intensive use. The raw water supply fee for redeveloped property shall only be assessed based on the upsized water meter size for the proposed use (i.e. 5/8-inch to a 2-inch). A raw water supply fee shall not be assessed for secondary water meter for irrigation purposes and/or filling of residential swimming pools.

(1.) Determination of Fee

The required fee shall be paid in full at the time that the application for connection to the System is made. Users requiring meter sizes larger than 5/8-inch diameter up through and including 2-inch diameter shall be assessed using the American Water Works Association meter capacity ratios for positive displacement meters. Users requiring meter sizes larger than 2-inch diameter shall be assessed a fee using the American Water Works Association meter capacity for compound meters. A raw water supply fee shall be assessed against all user types (Government, Residential, Commercial, Multiple-Residential, Church, Industrial, Miscellaneous, Schools, Bulk Water User, etc.) desiring a connection to the Frenchtown Charter Township Water System. For each unserved or redeveloped premises, the minimum meter size shall be a 5/8-inch diameter and as sized in accordance with the American Water Works Association Manual M22 and conform to the most recent edition of the Michigan Plumbing Code. A raw water supply fee for the connection(s) to the System shall be as listed in the following raw water supply fee table.

Raw Water Supply Fee Table

Meter Size	Connection Fee
5/8-inch	\$ 2,500.00
1-inch	\$ 6,250.00
1 ½ -inch	\$ 12,500.00

2-inch	\$ 20,000.00
3-inch	\$ 40,000.00
4-inch	\$ 62,500.00
6-inch	\$125,000.00
8-inch	\$200,000.00
10-inch	\$475,000.00
12-inch	\$625,000.00

(2.) Fire Suppression Systems.

For each required fire suppression system installed as required by law or regulation, there shall be a connection charge in the amount of One Thousand (\$1,500.00) Dollars. For any fire suppression system not required but voluntarily installed for commercial use, there shall be a connection charge in the amount of Seven Hundred Fifty (\$750.00). Residential fire suppression systems shall not be required to pay a connection charge and there shall be no charge for residential use unless a separate service is being installed.

B. Watermain Extension Fee

The watermain extension fee portion of the connection charge shall be as follows:

For connections within an active per parcel Special Assessment District: the principal amount of the assessment on the roll for that particular District.

For connections not within Special Assessment Districts or within District 72 or closed Special Assessment Districts: \$14,000.00 per parcel.

Section 5. Meter Removal and Reset Fee.

When a customer requests that a meter be removed, that customer shall be charged a fee of Fifty (\$50.00) Dollars for the removal. In the event that a meter is removed by the Water Department in the discretion of the Township for purposes of protecting a vacated premises from potential water damage due to improper winterization, negligence or other reasonable grounds, a fee of Fifty (\$50.00) Dollars shall be charged to the customer before the meter will be reset.

Section 6. Service Charges.

A. Turn Off Fee. There shall be a fee in the amount of Fifty (\$50.00) Dollars for the turn off of water service to any structure from the Township Water System, either at the curb stop or at the meter pit, at such time as the turn off is authorized and the order to turn off dispatched. In addition to the \$50.00 Fee, in the event that it is necessary for the Township to expend other costs in order to effect the turn off, such costs shall be assessed to the property owner.

B. Disconnection Fee. In the event that it becomes necessary for the Township to provide for the severing of a water service line or otherwise at the request of the property owner or due to the unlawful or unauthorized turn on of water service to a structure, there shall be a charge in the amount of Five Hundred (\$500.00) Dollars.

C. Reconnect Fee. If for any reason a customer's water service has been disconnected from the Township Water System and that customer desires to reconnect to the System and excavation work by the Township is required, the customer shall be charged a reconnect fee of Five Hundred (\$500.00) Dollars.

D. Late Fee. In the event that a customer fails to pay the amounts due and owing to the Township for water services, rates and charges, on or before the date on which it is first due, a late fee in the amount of Five (5%) Percent of the billed amount shall be charged to the customer by the Township.

E. Delinquent Payment Fee. In the event that a customer fails to pay the amounts due and owing to the Township for water services, rates and charges, on or before the date due and the Township provides additional delinquency notices and/or termination of services notices, a service charge in the amount of Five (\$5.00) Dollars per notice may be assessed to the property owner by the Township.

F. Service Calls. In the event that a customer requests a service call or calls from the Township Water Department which are after normal business hours and which are either repeat calls deemed unnecessary by the Township Water Department or which are a result of a defect or problem which is the fault of and/or responsibility of the property owner and not of the Township, a charge for the actual costs of the service call to the Township plus 10% may be assessed by the Township.

G. Final Meter Reading. In the event that a customer requests a final reading of the water meter, a final meter reading fee of Five (\$5.00) Dollars shall be charged to the customer by the Township.

H. Administrative Fee. In the event that any final water bill overpayment is in the amount of \$5.00 or less, an administrative fee in the amount of the overpayment may be charged by the Township for the cost of labor and materials including postage, copies and checks necessary to process refund checks.

Section 7. Hydrant Damage.

In the event that a hydrant or other appurtenance of the Frenchtown Water System is damaged, the person responsible for the damage shall pay one hundred percent (100%) of the costs of repair and replacement of said appurtenance. Both the Frenchtown Charter Township Water Department and Frenchtown Charter Township Fire Department shall be contacted by the responsible party within 24 hours of occurrence.

Section 8. Hydrant Meters.

Effective January 1, 2022 the rates to be charged for water service shall be Two Dollars and Ninety-Seven Cents (\$2.97) for one hundred (100) cubic feet. Effective January 1, 2023 the rates to be charged for water service shall be Three Dollars and Twenty-Six Cents (\$3.26) for one hundred (100) cubic feet. There shall further be a rental for hydrant meters in the amount of Five (\$5.00) Dollars per day. There shall also be a deposit in the amount of One Thousand (\$1000.00) Dollars required for the hydrant water meter and backflow preventer (RPZ) which shall be returned to the customer upon the return to the Water Department of the undamaged equipment. In the event that the equipment is not returned or is returned in a damaged condition, the cost of the replacement or repair of the equipment shall first be deducted from the deposit monies.

Section 9. Tap Fee.

Effective April 15th, 2014, there shall be a charge in the amount of Two Thousand (\$ 2000.00) Dollars for the physical construction of the water service line from the watermain to the curb stop for a 1” tap with a 5/8” meter. Physical construction of a water service line from the watermain to the curb stop for taps larger than 1” with a 5/8” meter shall be charged Two Thousand (\$ 2000.00) Dollars plus an additional amount to be determined by the Township Water Department.

Section 10. Meter Test Fee.

Effective April 15th, 2014, the charge for the testing of meters of one (1”) inch or less shall be Seventy-Five (\$75.00) Dollars. The fee for the testing of meters of greater than one (1”) inch shall be in the amount of the actual cost to the Township to conduct the test plus 10%.

Section 11. Chlorination Test Fee.

The charge for additional chlorination testing for new watermains shall be Fifty (\$50.00) Dollars.

Section 12. Frequency of Billings.

The Township shall make water billings quarterly.