

**CHARTER TOWNSHIP OF JAMESTOWN
COUNTY OF OTTAWA
MICHIGAN**

At a regular meeting of the Township Board of the Charter Township of Jamestown, held at the Township Hall on the 21st day of February 2022, at 7:00 p.m.

PRESENT: Members: VanHaitsma, DeHaan, Brouwer, McCormick, Miedema, Miller and Tacoma

ABSENT: Members: None

It was moved by Member DeHaan and seconded by Member Miller that the following Ordinance be adopted, pursuant to the procedures set forth in Section 6 of Act 94 of the Public Acts of Michigan of 1933, as amended.

ORDINANCE NO. 22-001

**AN ORDINANCE TO AMEND THE WATER CONNECTION, USE
AND RATE ORDINANCE**

The Ordinance was then discussed.

Upon roll call vote, the vote upon the motion adopting said Ordinance was as follows:

YEAS: Members: McCormick, Brouwer, DeHaan, VanHaitsma, Miedema, Miller and Tacoma

NAYS: Members: None

The Township Clerk declared the Ordinance adopted.

The following is Ordinance No. 22-001 as adopted:

THE CHARTER TOWNSHIP OF JAMESTOWN ORDAINS:

ORDINANCE NO. 22-001

**AN ORDINANCE TO AMEND THE WATER CONNECTION, USE
AND RATE ORDINANCE**

Section 1. Amendment to Article II. Article II of the Water Connection, Use and Rate Ordinance, Ordinance No. 20-007, as amended by Ordinance No. 21-001 (collectively, the “Water Ordinance”), is amended to add the following terms and definitions to be inserted in the appropriate alphabetical and numeric order (and other sections within Article II are to be renumbered accordingly):

“**Main Line Road**” means a road that is not a Section Line Road but extends the length of a section of the Township.

“**Section Line Road**” means a road located along a section line within the Township.

“**Utility Master Plan**” means the Township’s plan for the improvement and extension of public water and sewer systems and infrastructure, as adopted and modified from time to time by the Township.

Section 2. Amendment of Section 801 of Article VIII. Section 801 of Article VIII of the Water Ordinance is amended to read in its entirety as follows:

Section 801. Requirements. Extensions of or improvements to the Water System may be initiated by the Township or by written request, including petitions, from property owners. The Township may grant the petition, in its discretion, and prescribe the terms and conditions upon which the petition will be granted and may require the written acceptance of such terms and conditions by the petitioners.

a. As a condition of granting the petition, the petitioners must pay, in addition to all other charges imposed on new connections under this ordinance, a fee to cover the actual cost (or proportion of cost) of extending the water main along the entire frontage of the Premises, from property line to property line, improving the transmission, supply, treatment and storage system, or making other changes necessary to accommodate the extension and new connection.

b. All newly constructed components of the Water System shall be inspected by the Township engineer or other designated representative at the expense of the petitioner. The design, materials and construction of extensions of

or improvements to the Water System shall comply with the Township's then-current Utility Master Plan and Specifications for Watermains and Water Services, as those specifications may be revised from time to time.

c. The Township may, in the discretion of the Township Board, utilize any means legally available to the Township to extend or improve the Water System, including, without limitation, Township Funds on hand, the proceeds of bonds, funds advanced from a township improvement revolving fund or public improvement fund or the proceeds of special assessments.

d. The Township, in its sole discretion, may also enter into a contract with any Person to set forth the terms and conditions for extending or improving the Water System, including payment for the extension or improvement. Such contract may in the discretion of the Township provide that a Person who extends the Water System or who pays for improvements to the Water System (the "Contracting Party") may be reimbursed for a portion of such expenditures from revenues resulting from Connection Fees and other charges paid by Customers other than the Contracting Party which thereafter utilize the Water System facilities installed by the Contracting Party.

Section 3. Addition of Section 802 to Article VIII. Article VIII of the Water Ordinance is amended to add a new Section 802 entitled "Water Main Oversizing" to read in its entirety as follows:

Section 802. Water Main Oversizing. Any extensions of or improvements to the Water System shall be in accordance with the Utility Master Plan, the Township's Specifications for Watermains and Water Services, and this Ordinance. The Township, acting in its sole discretion, may determine that any Person making extensions of or improvements to the Water System may be eligible for cost-sharing on the cost of oversizing of required water main, where the oversizing of watermain exceeds the following sizes:

- a. 8" in a residentially-zoned area.
- b. 12" on a Section Line Road or other Main Road.
- c. 12" in commercially- and industrially-zoned areas.

In such case, the Township may determine to pay the difference between the cost of the size of the watermain required above and the cost of the oversized watermain.

Section 4. Severability and Paragraph Headings. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause

or provisions shall not affect any of the other provisions of this Ordinance. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

Section 5. Repeal. All ordinances which are in conflict in whole or in part with any of the provisions of this Ordinance are repealed to the extent of that conflict.

Section 6. Publication and Recording. A true copy or a summary of this Ordinance shall be published within thirty (30) days after its adoption, and the same shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signatures of the Township Supervisor and Township Clerk.

Section 7. Effective Date. This Ordinance shall be in force and effect as of the date of publication of the Ordinance or a summary of the Ordinance.

Passed and adopted by the Township Board of the Charter Township of Jamestown, County of Ottawa, Michigan, on February 21, 2022, and approved by me on February 24, 2022.



Laurie VanHaitsma, Supervisor
Charter Township of Jamestown

ATTEST:



Candy DeHaan
Township Clerk

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Jamestown, County of Ottawa, State of Michigan, at a regular meeting held on February 21, 2022, and that public notice of said meeting was given pursuant to the Open Meetings Act, being Act No. 267 of Public Acts of Michigan of 1976, as amended including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.


I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.



Candy DeHaan
Township Clerk

CERTIFICATE OF PUBLICATION

I, Candy DeHaan, Township Clerk of the Charter Township of Jamestown, County of Ottawa, State of Michigan, hereby certify that the Amendment to the Water Connection, Use and Rate Ordinance (Township Ordinance No. 22-001) or a summary thereof was published in *The Grand Rapids Press* on March 1, 2022.



Candy DeHaan
Township Clerk