

**Compilation of Ordinances
(Ordinance No. 20-007, as amended by
Ordinances Nos. 21-001 and 22-001)**

**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 16th day of November 2020, at 7:00 p.m.

PRESENT: Members: K. Bergwerff, C. DeHaan, S. Brouwer, B. Miller, J. Oskin, T. Tacoma

ABSENT: Members: G. Altman

It was moved by Member Tacoma and seconded by Member Oskin 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. 20-007

AN ORDINANCE TO ADMINISTER, REGULATE AND PROVIDE FOR USE OF THE WATER SYSTEM, INSTALLATION OF SERVICE CONNECTIONS, RATES AND CHARGES FOR WATER SERVICES, CROSS CONNECTION CONTROL, AND PENALTIES FOR VIOLATION THEREOF IN THE CHARTER TOWNSHIP OF JAMESTOWN, COUNTY OF OTTAWA, MICHIGAN.

The Ordinance was then discussed.

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

YEAS: Members: K. Bergwerff, C. DeHaan, S. Brouwer, B. Miller, J. Oskin, T. Tacoma

NAYS: Members: None

The Township Clerk declared the Ordinance adopted.

The following is Ordinance No. 20-007 as adopted:

THE CHARTER TOWNSHIP OF JAMESTOWN ORDAINS:

ORDINANCE NO. 20-007

AN ORDINANCE TO ADMINISTER, REGULATE AND PROVIDE FOR USE OF THE WATER SYSTEM, INSTALLATION OF SERVICE CONNECTIONS, RATES AND CHARGES FOR WATER SERVICES, CROSS CONNECTION CONTROL, AND PENALTIES FOR VIOLATION THEREOF IN THE CHARTER TOWNSHIP OF JAMESTOWN, COUNTY OF OTTAWA, MICHIGAN.

**ARTICLE I
SHORT TITLE; FINDINGS; PURPOSE**

Section 101. Short Title. This Ordinance shall be known as the “Water Connection, Use and Rate Ordinance” and may be cited as such.

Section 102. Intent. This Ordinance is intended to apply to all properties served by the Water System located in the Service District.

Section 103. Objectives Re: State and Federal Law Requirements. This Ordinance sets forth uniform requirements for Customers of the Water System and enables the Township to comply with all State and Federal laws applicable to a publicly owned water supply system. In addition, the objectives of this Ordinance include the following:

- a. To provide for proportional distribution of the cost of the Water System;
and
- b. To protect the physical integrity of the Water System and its components and to provide for the safety of the public and workers on and in the Water System.

Section 104. Findings Re: Public Health, Safety and Welfare. The Township hereby determines that the Water System is immediately necessary to protect and preserve the public health, safety and welfare of the Township by providing Potable Water to Customers of the Water System and fire protection to properties in the Township.

Section 105. Finding Re: Measure of Water Use by Metering of Water Supply. The Township hereby finds that the metering of domestic water supply is the best available technology and preferred method for measuring with relative precision the use of the Water System. The Township requires, pursuant to this Ordinance, the metering of domestic water supply for all users of the Water System.

**ARTICLE II
DEFINITIONS**

Unless the context specifically indicates otherwise, the meaning for the terms used in this Ordinance shall be as follows:

Section 201. “Approved” means approved by the Township.

Section 202. “Available Public Water Main” means a public water main with sufficient capacity to which connection can be made and which is located in a right-of-way, easement, highway, street or public way which crosses, adjoins or abuts upon a Premises and passes not more than two hundred (200) feet at the nearest point from a building using or requiring Potable Water which is located on the Premises. The Water System shall also be considered to be available to commercial and industrial buildings located on individual Premises or condominium units divided or created from what was formerly an undivided Premises, if the Water System would have been available at the time of such division to a building on the undivided Premises, pursuant to the preceding sentence, without regard to the 200 foot requirement.

Section 203. “Backflow” is the flow of water or other liquids, mixtures or substances into the Water System from any source other than its intended source, usually due to either back pressure or back siphonage.

Section 204. “Backflow Preventer” is a device to prevent Backflow.

Section 205. “Commercial Customer” means a Customer whose Premises are used to offer services and/or products such as retail and wholesale stores, gasoline stations, restaurants, schools, churches, hotels, motels, nursing homes, hospitals, warehouses, private clubs, theaters, and governmental buildings.

Section 206. “Connection Fee” means the charge imposed by the Township to regulate the connection of a Service Line to a Service Connection. This fee represents (a) the proportional cost attributable to each Premises which requires the use of Potable Water (including for fire protection purposes) to regulate access to the Water System and ensures that sufficient capacity exists to accommodate the additional use without overburdening the Water System or adversely affecting the Township’s ability to provide service to the Water System’s existing customers and (b) the benefit to the owner of a Premises which requires the use of Potable Water (including for fire protection purposes) derived from the connection to the Water System including, but not limited to, eliminating or reducing the risk of failure of private water wells and the contamination of ground water accessed by private water wells. The Connection Fee is comprised of the Water Availability Charge (Base), Water Availability Charge (Per Foot) (if applicable), Water Service Line Charge (if applicable), Water Trunkage Charge, Meter Fee, Inspection and Administration Fee, High Pressure Service District Fee (if applicable), and may include a Debt Service Charge.

Section 207. “Contamination” means the presence of any foreign substance (organic, inorganic, radiological, or biological) in water that tends to pollute or degrade the quality of the water so as to constitute a Health Hazard or to render the water Nonpotable.

Section 208. “Cross Connection” is any physical connection between the Water System and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Furthermore, it is any Potable water supply outlet which is submerged or can be submerged in wastewater and/or any other source of Contamination. See “Backflow.”

Section 209. “Customer” or “User” means the Person who owns or, subject to the limitations of Section 1115 below, leases any Premises which are connected to the Water System.

Section 210. “Debt Service Charge” is the amount charged to Customers of the Water System to pay all or a portion of the principal, interest and administrative costs of retiring the debt incurred for acquisition and construction of and improvements to the Water System. The Debt Service Charge may be included as part of the Readiness to Serve Fee, the Connection Fee, the Water Use Fee, or may be a separate charge.

Section 211. “Fire Hydrant Fee” is the charge made by the Township to an applicant for use of Public Water from a fire hydrant. Such use, for example, would include the filling of a swimming pool.

Section 212. “Health Department” means Ottawa County Health Department or its successor agency.

Section 213. “Health Hazard” is any condition, device or practice in the Water System and its operation which creates, or, in the judgment of the Township, may create by Contamination or otherwise, a danger to the health and well-being of any Person. An example of a Health Hazard is a structural defect in the Water System, whether of location, design or construction, that regularly or occasionally may prevent satisfactory purification of the water supply or cause it to be Contaminated.

Section 214. “High Pressure Service District” means an area designated as a district by resolution of the Township Board that is served by certain Water System infrastructure, which enhances water service to properties located within the district. As such districts are established from time to time by resolution of the Township Board, the map of the Service District shall be revised and updated to delineate the boundaries of any designated High Pressure District’s located within the Service District without the need to further amend this ordinance.

Section 215. “High Pressure Service District Fee” means a charge to properties located within a High Pressure District to pay for costs associated with the installation of certain Water System infrastructure, which enhances water service to properties located within the district. The fee is established by resolution of the Township Board from time to time and may be set in different amount for different districts.

Section 216. “Industrial Customer” means a Customer whose Premises are used for a manufacturing or process facility which is engaged in producing a product, and facilities related thereto including offices, warehousing and research and development.

Section 217. “Inspection and Administration Fee” means the amount charged to each applicant by the Township at the time an application is made to the Township for connection to the System to cover the actual routine cost of inspecting and approving the physical connection of a Service Line to the System, the issuance of a connection permit and related administrative expenses, and the amount charged to a Customer for subsequent disconnection or reconnection of the Premises to the System.

Section 218. “Inspector” means a person authorized by the Township to inspect connection of Service Lines to Service Connections.

Section 219. “Irrigation Meter” means a Meter installed to measure water usage for lawn sprinkling.

Section 220. “Main Line Road” means a road that is not a Section Line Road but extends the length of a section of the Township.

Section 221. “May” is permissive.

Section 222. “Meter” means an instrument for measuring the rate of flow of Public Water.

Section 223. “Meter Fee” means the amount charged for the cost of a Meter and its installation by the Township.

Section 224. “Miscellaneous Customer Fee” means an amount charged to Customers for miscellaneous services and related administrative costs associated with the Water System as the actual cost incurred by the Township plus administrative/enforcement costs.

Section 225. “Nonpotable” refers to water that is not safe for human consumption or that is of questionable potability.

Section 226. “Operation, Maintenance and Replacement Costs” means all costs, direct and indirect, necessary to provide adequate water supply on a continuing basis to conform with all federal, state and local water management requirements and to assure optimum long-term management of the Water System and shall include an amount for the replacement of the equipment and appurtenances necessary to maintain the intended performance of the Water System.

Section 227. “Person” means any individual, firm, company, association, society, corporation, or group, public or private.

Section 228. “Plumbing System” includes the water supply and distribution pipes connected to the Meter, plumbing fixtures, and traps; soil, waste and vent pipes; Service Line, including their respective connections, devices and appurtenances and water-treating or water-using equipment; all as located within the property lines of the Premises.

Section 229. “Potable” refers to water free from impurities in amounts sufficient to cause disease or harmful physiological effects. Its bacteriological and chemical quality shall conform to the requirements of the Federal Drinking Water Standards and to the regulations of the Michigan Department of Public Health.

Section 230. “Premises” means the lands included within the boundaries of a single description as set forth, from time to time, on the general tax rolls of the Township as a single taxable item in the name of the taxpayer or taxpayers at one address but in the case of platted lots shall be limited to a single platted lot unless an existing building or structure is so located on more than one lot as to make the same a single description for purposes of assessment or conveyance now or hereafter.

Section 231. “Public Water” is water provided by the Water System.

Section 232. “Readiness to Serve Fee” means a periodic charge levied on a User based upon the allocation of REUs to the Premises. The charge represents a portion of (a) that User’s proportionate share of the fixed and variable cost of operation and maintenance of the Public Water System and (b) the benefit to that User derived from the availability of the Public Water System and the peak usage that User may demand from the Public Water System. The charge may include a Debt Service Charge, as necessary, to pay all or a portion of the principal, interest and administrative costs of retiring Public Water System indebtedness.

Section 233. “Reduced Pressure Principle Backflow Preventer” is an assembly of differential valves and check valves, including an automatically opened spillage port to the atmosphere designed to prevent Backflow under conditions of pressure reversal.

Section 234. “Residential Equivalent Unit” or “REU” or “Unit” means a factor established for each type of User as shown on Appendix A, which is based upon an average Water usage of 20,000 gallons per quarter for one Unit and which represents the quantity of Water ordinarily required from the occupancy of a freestanding single-family residential dwelling by a single family of ordinary size and the benefit derived from the provision thereof. A listing of the relative relationships between the various Users of the Public Water System is hereby determined by the Township and set forth in Appendix A. The assignment of Unit(s) to a particular User shall be determined from time to time by the Township, based upon available information and investigation of the use to which the User’s property is put. The assignment of Unit(s) for any use not enumerated in Appendix A including, but not limited to uses for Commercial Customers and Industrial Customers, shall, in the sole discretion of the Township, be based upon the most similar use enumerated in Appendix A and may be subject to review and revision on an annual basis.

Section 235. “Safe Air Gap” or “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 must be at least two times the inside diameter of the water inlet pipe but must not be less than one inch and need not be more than twelve inches.

Section 236. “Secondary Water Supply” means a water supply system maintained in addition to the Water System, including water systems from ground or surface sources or water from a Public Water supply system which, in any way, has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.

Section 237. “Section Line Road” means a road located along a section line within the Township.

Section 238. “Service Connection” means the corporation cock, service lateral, and curb stop that conveys Public Water from the Township mains to the property line, or edge of right of way or easement. The Service Connection shall also include a meter pit when the Township deems that access is limited.

Section 239. “Service District” shall mean the Jamestown Water Supply District, a map of which is attached hereto as Appendix B.

Section 240. “Service Line” means a pipe connected to the Service Connection and extending from said connection to the Meter.

Section 241. “Shall” is mandatory.

Section 242. “**Submerged Inlet**” means a Service Line or extension thereto from the Water System 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.

Section 243. “**Township**” means the Charter Township of Jamestown or its authorized employees or agents.

Section 244. “**Treasurer**” means the Township Treasurer or his or her authorized deputies, assistants or agents.

Section 245. “**Trunkage Charge**” means a charge to a User to pay costs associated with the installation, operation, maintenance, repair and replacement of System assets including, but not limited to, pumping stations, trunk mains and water tank(s).

Section 246. “**Unmetered Fire Protection Connection**” is a pipe extending from the Water System to supply a sprinkler, yard main, or other fire protection system, which does not pass through a Meter.

Section 247. “**Utilities Administrator**” is the Person retained by the Township by contract or employment to coordinate the operation, maintenance and administration of the System.

Section 248. “**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 249. “**Water Availability Charge (Base)**” means the amount charged to a Premises in the Township to make the Water System directly available to serve a Premises. This charge represents a cost allocable to such Premises for the water mains made available to the Premises for connection thereto, fire hydrants, valves, and associated costs. All properties with 150 feet or less of frontage shall pay Water Availability Charge (Base). Premises with more than 150 feet of frontage shall pay the Water Availability Charge (Base) plus a Water Availability Charge (Per Foot).

Section 250. “**Water Availability Charge (Per Foot)**” means the charge based on the lineal frontage of the Premises along an existing or future watermain. A Water Availability Charge (Per Foot) shall not be imposed for the first 150 feet of frontage of the Premises. For Premises with more than 150 feet of frontage, the Township Board shall establish the charge on a front-foot basis by resolution from time to time and such front-foot charge shall be charged for all frontage that is functionally utilized. For purposes of this Section, “functionally utilized” means that portion of the frontage of the Premises that is occupied by buildings or structures; recreational facilities including, but not limited to, swimming pools; drives and parking area; grass and other landscaping; and/or other site improvements. With respect to the connection of a residential dwelling and/or farm buildings on a farm, farmland devoted to the raising of animals or crops or left fallow shall not be considered to be functionally utilized for purposes of the calculation of the Water Availability Charge (Per Foot). In order to exclude frontage from the calculation of the

Water Availability Charge (Per Foot), the frontage which is not functionally utilized must meet the minimum zoning ordinance requirements for a buildable lot in the zoning district in which the Premises is located. Frontage in excess of 150 feet that is not functionally utilized shall be considered “deferred frontage” and shall be subject to connection charges including, but not limited to, a Water Availability Charge (Base) or (Per Foot) at such time as an application for building or zoning permit is submitted for improvements to be located on the land with the deferred frontage. If the Premises is a corner lot, the side yard frontage is permanently deferred for 150 feet. For side yard frontage in excess of 150 feet, the Premises shall pay the Water Availability Charge (Per Foot) for any frontage in excess of 150 feet.

Section 251. “Water Service Line Charge” means the charge for a Township-constructed Service Line from the water main to the property line and shall be based on the diameter of the line. Water service installed for new construction shall be based on actual costs to install the Service Line.

Section 252. “Water System” or “System” means all facilities and all subsequent additions and expansions, including wells, pumps, water treatment facilities, transmission and distribution mains, hydrants, storage tanks, Meters, Service Connections and all other facilities used or useful in the pumping, treatment, and distribution of Public Water and which in the aggregate constitute the Township Water Supply System.

Section 253. “Water Supply Rates and Charges” shall include the Readiness to Serve Fee, the Connection Fee, Water Use Fee, Meter Fee, Inspection and Administration Fee, Fire Hydrant Fee, Debt Service Charge (either separate or as a part of another charge authorized by this Ordinance), High Pressure Service District Fee, and Miscellaneous Customer Fee.

Section 254. “Water Trunkage Charge” means the charge to pay for the costs of oversizing Water System infrastructure including, but not limited to, pump stations, storage tanks, and similar facilities necessary to supply Potable Water to the System and Premises within the District. The Water Trunkage Charge shall be established by resolution of the Township Board from time to time and may include a Debt Service Charge.

Section 255. “Water Use Fee” is a periodic charge levied on Customers for use of the System on the basis of water consumption and reflects the cost of water supplied to the Water System by the City of Wyoming. The charge may include a Debt Service Charge component, a depreciation component, or other component necessary to fully reflect the cost of water supply to the System.

ARTICLE III OPERATION AND MAINTENANCE

Section 301. Ownership; Operation and Maintenance of System. The Water System is owned by the Township. The operation, maintenance, alteration, repair and management of the Water System shall be under the supervision and control of the Township. The Township may employ such Person or Persons in such capacity or capacities as it deems advisable to carry out the efficient management and operation of the Water System and may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the Water System.

Section 302. Maintenance and Repair of Plumbing System. The owner of a Premises is responsible for the maintenance and repair of the Plumbing System located within the Premises.

Section 303. Public Water. Only Public Water shall be used in the Water System. No other source of water, raw or otherwise, shall be tapped into, piped into or connected into, directly or indirectly, the Water System, unless permitted under Article X.

Section 304. Right to Restrict Use of Public Water. The Township may, by written order, regulate, limit or prohibit the use of Public Water for any purpose. Such regulations may restrict less essential water use (e.g. lawn sprinkling and irrigation), including turning off of sprinkling meters, to the extent deemed necessary to assure an adequate supply for essential domestic and commercial needs and for firefighting.

Section 305. Abatement of Public Nuisance. This Ordinance shall not be construed to limit the power of the Township to order the immediate and complete abatement of a public nuisance or menace to the public health.

Section 306. Water Available Within Service District; High Pressure Service District. Public Water shall only be made available from the Water System to properties located within the Service District. The Township Board reserves the right to amend or expand the Service District, by resolution, to include additional lands, in the discretionary exercise by the Township Board of the Township's police powers and to establish one or more High Pressure Service Districts as necessary for the proper operation and maintenance of the System and supply of Potable Water to properties within the Service District. Customers located within a designated High Pressure Service District may be charged a High Pressure Service District Fee to pay for all or part of the cost of certain Water System infrastructure necessary to provide Potable Water within the High Pressure Service District.

ARTICLE IV USE OF PUBLIC WATER; USE OF PRIVATE WATER WELLS

Section 401. Mandatory Connection to Water System. Except as otherwise provided in Section 403, below, all Premises using or requiring Potable Water, now situated within the Township, are hereby required at their expense to install suitable plumbing fixtures and connect such facilities directly with an Available Public Water Main in accordance with the provisions of this Ordinance. If there is no Available Public Water Main, the provisions of Section 801 shall apply. The Township may require any such owners, pursuant to the authority conferred upon the Township by law or ordinance, to make such installations or connections.

Section 402. Connection of New Construction to Water System. All owners of Premises located in the Township which are presently undeveloped and which are hereafter improved by a building using or requiring Potable Water are hereby required at their expense to install suitable plumbing fixtures and connect such facilities directly with an Available Public Water Main in the manner provided by Sections 401 and 404. If there is no Available Public Water Main and an extension of the Public Water Main is not required, the property owner shall install and maintain a private water well on Premises. The Township may require such owners, pursuant to authority conferred upon the Township by law or ordinance, to make such installations or connections.

Section 403. Connection of Existing Improved Properties to Water System. Owners of an existing building using or requiring Potable Water, which are located in the Township and which are currently served by a private water well, shall not be required to connect to an Available Public Water Main until such time as:

- a. The existing private water well fails and the Health Department will not permit a new replacement well for the Premises;
- b. An existing single family or multiple family residence is changed from a residential to a non-residential use;
- c. There is an addition to an existing building using or requiring Potable Water equal in size to 50% or more of the area of the existing structure; or
- d. Connection of all improved properties, within the area in which said Premises are located, is declared a necessity by the Township for the public health and welfare. Upon the occurrence of any such event, connection shall be made to an Available Public Water Main in accordance with Sections 401 and 404. In the alternative, an owner of a Premises subject to this Section 403, may connect to an Available Public Water Main at any time in compliance with the terms of this ordinance.

Section 404. Water System Connection Deadline. When connection to an Available Public Water Main is declared a necessity by the Township for the public health and welfare pursuant to the provisions of Section 403d, above, all such required connections to the Available Public Water Main required hereunder shall be completed no later than twelve (12) months after the last to occur of the date of official notice by the Township to make said connections or the modification of a building so as to become a building using or requiring Potable Water. Newly constructed structures required to connect shall be connected prior to occupancy thereof. Notwithstanding the preceding, if the Township Board or Health Department requires completion of a connection within a shorter period of time for reasons of public health, such connection shall be so completed. Persons who fail to complete a required connection to an Available Public Water Main when required shall be liable for a Miscellaneous Customer Fee equal in amount to the Water Readiness to Serve and Water Use Fee that, based upon similarly situated Customers, would have accrued and been payable, effective upon the expiration of the connection period, had the connection been made as required.

Section 405. Enforcement in the Event of a Failure to Connect to Water System. In the event a required connection to an Available Public Water Main is not made within the time provided by Section 404, the Township shall require the connection to be made immediately after notice given by first class or certified mail or by posting on the property. The notice shall give the approximate location of the Available Public Water Main and shall advise the owner of the affected Premises of the requirement and enforcement provisions provided by this ordinance. In the event the required connection is not made within 90 days after the date of mailing or posting of the written notice, the Township may bring an action in a court of competent jurisdiction for a mandatory injunction or court order to compel the property owner to immediately connect the affected property to the Available Public Water Main.

Section 406. Private Water Wells. Existing water wells on Premises connected to the Water System may be used for lawn watering, irrigation, automobile or equipment washing, as a source of water for a building's heating or cooling system or for similar purposes not involving human consumption or prolonged bodily contact with such Non-potable water. Any fixtures connected to such non-public water systems shall only be located outside of structures intended for human occupancy, employment, recreation, or similar purposes. Notwithstanding Article X of this Ordinance, piping connected to a private water well shall be physically and completely separated from all plumbing used for Public Water.

Section 407. Borderline Connections to the City of Hudsonville Water System. Pursuant to and in accordance with the 40th Avenue Borderline Street Water Service Agreement, dated as of July 1, 2020 (the "Agreement") between the City of Hudsonville (the "City") and the Township, all Premises located in the Township on a street that borders the City, which are connected to and served by the City's public water system (the "City Water System"), shall be subject to the terms and conditions of the City's ordinances governing connection to and use of the City Water System (collectively, the "City Water Ordinance"). The City, on its own or through the Township, is hereby authorized to enforce the provisions of the City Water Ordinance on all owners of Premises in the Township that are customers of the City Water System. Consistent with the Agreement and Section 1603 of this Ordinance, the Township Supervisor and the Utilities Administrator or his/her authorized agent, including, but not limited to, the Township's contract operator of the Township's System, are hereby authorized to issue, in the manner provided by law, citations for municipal civil infractions for violations of the City Water Ordinance with respect to properties connected to and receiving water from the City Water System.

ARTICLE V CONNECTION PROCEDURES

Section 501. Permit. Service Connections shall be installed only at the Customer's expense by the Township or by an Approved contractor and only after approval of the permit application by the Township. Prior to the installation of a new Service Connection or construction in the public right-of-way by an Approved contractor, a surety bond shall be filed with the Township in form acceptable to the Township in the amount of \$5,000 which indemnifies the Township and its authorized representatives from any loss resulting from said installation or construction. Provision of such surety bond shall in no way limit liability for damage to the System or other public or private property.

Section 502. Application for Permit; Payment of Fees. Prior to the connection of a Service Line to a Service Connection, a prospective Customer must file a permit application on a form to be supplied by the Township. The application must be accompanied by payment in full of the Connection Fee, Meter Fee, Inspection and Administration Fee and such other charges or deposits required by this Ordinance.

Section 503. Installation of Service Lines and Service Connection. All Service Lines shall be installed in accordance with the Township's then-current Specifications for Watermains and Water Services (as those specifications may be revised from time to time), at the Customer's expense. The Service Connection, if not previously installed, shall be installed by an Approved contractor at the Customer's expense. The Plumbing System in or on the Premises in connection

therewith must conform in character, design and quality to the law of the State of Michigan and the applicable Plumbing Code.

Section 504. Material Specifications. All Service Connections and Service Lines Materials shall be in accordance with the Township's then-current Specifications for Watermains and Water Services, as those specifications may be revised from time to time. No Service Connection or Service Line of less than one-inch diameter will be permitted.

Section 505. Inspection. The installation of all Service Connections and Service Lines must be inspected by the Township or its authorized representative.

Section 506. No Obstruction of System Components. No Person shall obstruct or interfere in any way with any Service Connection or other appurtenance of the System, including Meters, by placing in, on or about said Service Connection, Meter, or other appurtenance, building materials, rubbish, shrubbery, flowers, or otherwise hindering the easy and free access thereto.

Section 507. Repair of Service Lines. Service Lines shall be protected from damage of every nature and needed repairs shall be made by the Customer. The expense of repairing the Service Line may be borne by the Township, in the Township's sole discretion, subject to the right of the Township to charge a Miscellaneous Customer Fee to the Customer.

Section 508. Discontinuation of Service. The Township may discontinue service if a Customer fails to maintain the Service Line in a leak-free condition or if the Customer makes an unauthorized plumbing connection which bypasses the Meter.

Section 509. No Multiple Connections. A single Service Connection shall not serve more than one (1) Premises unless approved by the Utilities Administrator, even though the ownership of the adjacent Premises may be the same; provided, however, that in the event a single Premises has two or more freestanding buildings to be served by the System, each building shall have a separate Service Connection and Meter.

Section 510. Excavation. All excavation for Service Connection installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Township at the Customer's expense.

Section 511. Pressure Reducing Valve. Notwithstanding that operating pressure within the System changes causing a Premises to rise above or fall below 80-pounds per square inch (psi), all Service Lines with pressure exceeding 80 psi shall be installed with a pressure reducing valve at the Customer's expense in accordance with the then-current State of Michigan Plumbing Code, as such code may be revised from time to time. Further, in the event that changes to the System affect the pressure of a Service Line for a Premises, the Customer shall install a pressure reducing valve on such Service Line at the Customer's expense.

Section 512. Separate Service Lines. A separate Service Connection and Service Line shall be provided for potable water supply and an Unmetered Fire Protection Connection.

ARTICLE VI METERS

Section 601. Use and Installation of Meters. The Public Water used by each Customer shall be metered. The Township will furnish a meter horn at the Customer's expense for installation by the Customer's plumber. The Township shall then inspect the Service Line and meter horn and install the Meter's remote. The Meter will be tested and maintained by the Township and shall remain the property of and under control of the Township.

Section 602. Replacement of Meters. The Meter shall be replaced upon failure or at such time as determined by the Township in the Township's sole discretion including, but not limited to, upgrading the meter. All required repair and replacement of the Meter shall be at the expense of the Customer. If the Meter malfunctions or is defective, the Meter shall be repaired or replaced be at the expense of the System. The Township reserves the right to repair, replace, or upgrade the Meter. A Customer will be provided a written notice to schedule an appointment for work on the Meter within 30 days. Following 30 days, and provided an appointment has not been scheduled, a second letter will be issued with the warning that the water service will be discontinued if the Meter work has not been completed within another 45 days. A 72-hour shut off notice will be issued to the Customer prior to the 45th day. If the Meter work has not been completed at the end of the 45 days, the water will be shut off, and service will not be restored until a full inspection has occurred and all applicable Water Rates and Charges and costs for such work have been paid. The Customer shall pay all applicable Water Rates and Charges, and expenses and costs for all inspections, work and the cost to turn on water service, if applicable, resulting from the Meter work.

Section 603. Size; Specification. Meters for ordinary domestic service shall be a minimum of 3/4 inch size. The Meter shall contain remote readouts. A separate valve the same size as the Service Line shall be installed on the Service Line on both sides of the Meter. Where application for a larger service is made, determination as to meter size shall be made by the Township. Larger sizes may be required for an Industrial Customer, a Commercial Customer or multiple dwelling use.

Section 604. Accessible Location. Meters shall be set in an accessible location in a heated space with at least five feet of headroom and in a manner as may be further defined and approved by the Township. Where due to unusual circumstances it is necessary to place the Meter in a pit, such pit shall be installed by the Township as part of the Service Connection in accordance with Township standards at the expense of the Customer. To the greatest extent possible, an Irrigation Meter shall be placed in a heated space within the Premises. If an Irrigation Meter is located outside, the Irrigation Meter shall be installed above ground level in an easily accessible location and shall have a cover. The Township is not responsible for any damage to the Service Line due to freezing or any other winterization methods other than pulling out the Irrigation Meter and turning the water off at the curb stop box.

Section 605. Access to Meter. The Township shall have the right to shut off the Public Water to any Customer if access is not available to the Meter. Qualified employees, agents or contractors of the Township shall at all reasonable hours have the right to enter the Premises where such Meters are installed, for the purpose of reading, testing, removing or inspecting same and no

Person shall hinder, obstruct, or interfere with any such Township representative in the discharge of his or her duties.

Section 606. Damages to Meter. Any damages to a Meter resulting from carelessness or neglect of a Customer to properly secure and protect the Meter from damages caused by frost, hot water, steam or other misuse shall be paid for by the Customer as a Miscellaneous Customer Fee upon presentation of the bill therefore.

Section 607. Failure of Meter. If any Meter shall fail to register properly, the Township shall estimate the consumption of Public Water and bill accordingly.

Section 608. Accuracy of Meter. A Meter shall be considered accurate if when tested it registers neither 2% more than nor 2% less than the actual quantity of Public Water passing through it. If a Meter registers in excess of 2% more than the actual quantity of Public Water passing through it, it shall be considered "fast" to that extent. If a Meter registers in excess of 2% less than the actual quantity of Public Water passing through it, it shall be considered "slow" to that extent.

Section 609. Corrected Billings. If a Meter has been tested and is determined to register "fast" the Township shall credit the Customer with a sum equal to the percentage "fast" multiplied by the amount of the Water Use Fee incurred by said Customer within the six months prior to the test. If a Meter so tested is determined to register "slow" the Township may collect from the Customer a sum equal to the percentage found "slow" multiplied by the amount of the Water Use Fee incurred by the Customer within the six months prior to the test. The Township may charge the cost of the Meter test to the Customer as a Miscellaneous Customer Fee if the Meter is found to be accurate or "slow."

ARTICLE VII FIRE HYDRANTS

Section 701. Use of Fire Hydrants; Fire Hydrant Fee. No Person shall open or cause to be opened any fire hydrant except for authorized representatives of the Township, except in the case of an emergency, without first securing a "Permit to Use Fire Hydrant" from the Township and paying a Fire Hydrant Fee in the amount established from time to time by resolution of the Township Board. Application for said permit shall be made on a form supplied by the Township. Authorized representatives of the Township shall turn the hydrant on and off and install a portable Meter and Backflow Preventer to measure the volume of water used. If the Fire Hydrant Fee is insufficient to cover the labor costs and the Water Use Fee charged for the metered volume, the permit holder shall pay the difference.

Section 702. Township Approval of Hydrant Specifications. The Township must approve the type, size of openings, and types of nozzle thread on all hydrants installed on private property serviced by the Water System.

Section 703. No Obstruction of Hydrants. No person shall, in any manner, obstruct or prevent free access to or place or store temporarily or otherwise any object, material, snow, debris, automobile or structure of any kind within a distance of fifteen (15) feet of any fire hydrant, whether the Fire Hydrant is privately owned or owned by the Township. Upon the failure of said Person to remove said obstruction which shall be set forth in a notice which shall be mailed to said

Person by the Township, the Township is hereby authorized and empowered to remove said obstruction and charge the cost of said removal to said Person as a Miscellaneous Customer Fee.

Section 704. Access Easements. All fire hydrants installed on private property shall be dedicated to the Township together with an access easement with a minimum width of 15 feet centered on the hydrant service lead.

Section 705. Private Fire Hydrants. All fire hydrants installed after January 1, 2017 shall be owned by the Township. Any fire hydrants installed prior to January 1, 2017 that are not owned by the Township shall be maintained by the owner in good repair and working order.

ARTICLE VIII WATER SYSTEM EXTENSIONS AND IMPROVEMENTS

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 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.

ARTICLE IX SYSTEM USE

Section 901. Authorized Representatives. No Person other than an authorized representative of the Township shall turn on or off any Service Connection without the written permission of the Township.

Section 902. Prohibited Activities. It shall be unlawful for any Person to do any of the following:

- a. Damage or destroy any portion of the Water System;
- b. To do anything which will in any way contaminate the Water System; or
- c. To connect any pipe to the Water System or take or run Public Water from the lines of the System without complying with all the provisions of this Ordinance.

Section 903. Township Right to Stop Service; Emergencies. The Township may stop service to any Customer at any time for any reason, including repairs to the System, construction of extensions or accident. All Customers which have facilities which depend upon pressure from the main to keep them filled are hereby put on notice of the danger of collapse and/or pressure failure. The Township shall give reasonable notice except during emergencies and conditions of imminent hazard and will, so far as practical, use reasonable efforts to prevent inconvenience and damage in the event of a stoppage of service. The Township shall not be responsible or liable in damage for any inconvenience, injury or loss caused by the failure of a Customer to receive Public Water for any reason, including the shutting off of such supply by the Township, nor shall the Township be liable for any damage caused by any change in the pressure of Public Water delivered to any Customer.

Section 904. Leaking Service Line. If the Service Line from the curb stop to the Meter is found to be deteriorated or leaking, the Customer must repair the Service Line. The Township may, in the Township's sole discretion, complete the repair of or replace the Service Line, subject

to the right of the Township to charge a Miscellaneous Customer Fee to the Customer for the costs incurred by the Township.

Section 905. No Tampering; Liability. No Person, except an authorized representative of the Township in the performance of his or her duties, shall uncover or tamper with any portion of the Water System. Any Person responsible for any injury or damage to the Water System shall reimburse the Township therefore and for the loss of Public Water caused thereby and shall be responsible for any damage caused by escaping water.

Section 906. Addition of Fluoride to Water System. The Township Board may add fluoride to the Water System in accordance with state law and within limitations established or authorized by state statute or regulation.

ARTICLE X CROSS-CONNECTIONS

Section 1001. Cross Connections with Water System. A connection to the Water System shall comply with existing laws, ordinances, codes and rules, including:

- a. The Charter Township of Jamestown Water Connection, Use and Rate Ordinance, including this Article, and all other Township ordinances pertaining to plumbing, water supply and sewage disposal.
- b. The Michigan Safe Drinking Water Act, Act 399 of the Public Acts of 1976, as amended, and administrative rules promulgated thereunder, as such rules may be revised from time to time.
- c. EGLE's Cross Connection Rules Manual, being sections R325.11401 to R325.11407 of the state administrative code, as such rules may be revised from time to time.
- d. The latest edition of the Michigan Plumbing Code.

Section 1002. Control Program. This Article, and any rules or regulations promulgated by the Township hereunder, constitutes the Township's comprehensive control program for the prevention of all Cross Connections, which shall be submitted to the Michigan Department of Environment, Great Lakes and Energy, or its successor agency ("EGLE") (formerly known and referred to as "MDEQ") for review and approval. Following EGLE approval, the Township shall implement the program for elimination or mitigation of existing, and the prevention of all future Cross Connections.

Section 1003. Cross Connection Devices. All devices for the prevention of a Cross Connection shall be Approved. The devices shall be installed in good working condition at the Customer's expense. In accordance with this Article, the Township shall routinely inspect and require testing of such devices on regular intervals by a certified Back Flow prevention device technician at the Customer's expense. If found to be defective or inoperative, the Customer shall be responsible for the expense of replacement.

Section 1004. Township Approval Required. The Customer shall obtain prior written approval from the Township before taking or installing any proposed corrective action or protective device. The total time allowed for completion of corrections ordered by the Township shall take into account the degree of Health Hazard involved and the time required to obtain and install necessary equipment. If the Cross Connection has not been removed within the time specified, the Township shall physically separate the Water System from the on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized Person. The Township shall charge the cost thereof and any associated costs incurred by the Township including, but not limited to, contractor expenses, inspection costs, legal, administrative, and enforcement costs to the Customer as a Miscellaneous Customer Fee.

Section 1005. Secondary Water Supply. When a Secondary Water Supply is used in addition to the Water System, or in other high risk installations involving extensive plumbing, exposed Water System and Secondary Water Supply piping shall be identified by the American Water Works Association Standard Color Code and tags and so maintained that each pipe may be traced readily in its entirety. If piping is so installed that it is impossible to trace in its entirety, it shall be considered a Cross Connection.

Section 1006. Private Water Storage Tank. A private water storage tank supplied from the Water System shall be deemed a Secondary Water Supply unless it is Approved.

Section 1007. Maintenance. It shall be the responsibility of the Customer to maintain Cross Connection prevention devices in good working order and to make no piping or other arrangements for the purpose of altering or bypassing said devices.

Section 1008. Testing and Inspection. Periodic testing and inspection schedules shall be established by the Township for all Cross Connection prevention devices and shall be conducted in accordance with this Section.

a. The water connections and plumbing systems of all Customers shall be initially inspected for the presence of a Cross Connection. The Township shall compile and maintain a list of all such Cross Connections. An Inspector shall identify and note the location and nature of any direct and potential Cross Connections, the location and details of Backflow prevention devices, and other pertinent information. The highest priority for inspections shall be placed on facilities that pose a high degree of Health Hazard, that have a high probability that Back Flow will occur, or are known/suspected to have a Cross Connection.

b. Once initial inspections of all accounts are completed, then a re-inspection frequency shall be determined by the Township for each account, in the Township's sole discretion, based on the degree of Health Hazard and potential for Backflow. The EGLE Cross Connection Rules Manual will be a guide in classifying the degree of hazard of each account. However, in general, situations in which Backflow could cause illness or death shall be considered a Health Hazard. Accounts that pose a Health Hazard or have a high potential for Backflow to occur must be re-inspected at least once per year. All other accounts must be re-inspected once every one to five years based on the degree of risk. Other factors such as new construction, water quality complaints, or anomalies in Customer billing, may prompt an immediate re-inspection.

c. After initial Cross Connection inspections are completed, the Township shall compile and maintain a comprehensive list or inventory of all Backflow prevention devices. The interval between such testing and inspections and overhauls of each Backflow prevention device shall be established in accordance with the age and condition of the device. Inspection intervals shall be determined by the Township, in its sole discretion, but generally should not exceed one year, and overhaul intervals should not exceed three years to assure that such devices have been installed properly and that debris resulting from the installation has not interfered with the functioning of the device. The testing procedures shall be in accordance with the manufacturer's instructions. Certified testing of a Reduced Pressure Principle Back Flow Preventer is required by a licensed plumber at the Customer's expense on an approved frequency. Records of the test as well as records of repair shall be provided to the Township by the Customer.

d. Backflow Preventers that are testable assemblies shall be routinely tested based on the associated degree of Health Hazard and probability of Backflow. Assemblies that are designated by the Township as a "high Health Hazard connection" shall be tested annually. All other assemblies must be tested once every three years. All assemblies must be tested immediately following installation and repair. The Customer is solely responsible for arranging and paying for the cost of such testing and the testing of such Backflow Preventer assemblies shall be performed by individuals holding an active ASSE 5110 Certification (backflow prevention assembly testing). The Township shall provide annual notice of testing requirements for Backflow Preventer assemblies to a Customer. Notices shall (1) clearly identify the assembly requiring testing (size, make, model, location, etc.); (2) specify the date by which the assembly must be tested; (3) indicate that tests must be completed by an ASSE certified tester; and (4) provide the EGLE standard test form. A Customer shall promptly complete and file test forms with the Township and the Township shall review and ensure that the test forms comply with the requirements of this Article. If necessary, the Township shall require retesting of a device for failure of a device to comply with this Article or applicable Cross Connection rules or Backflow Preventers standards or requirements.

e. All costs incurred by the Township with respect to a Cross Connection including, but not limited to, costs of inspection re-inspection, testing, contractor costs, legal and administration costs, may be charged to a Customer as a Miscellaneous Customer Fee.

f. Following any inspection pursuant to this Article, the Township shall inform the Customer of their compliance status with this Article and applicable Cross Connection rules.

Section 1009. Recordkeeping; Reporting.

a. The Township shall maintain a system of record keeping for all Premises and Customers that have a Cross Connection which, at a minimum, shall identify:

(1) the owner name, contact information, address and location of the Premises with the Cross Connection;

(2) a list of testable and non-testable Backflow Preventer assemblies including the location, manufacturer, make, model, size, ASSE standard number, and hazard classification of the assemblies;

(3) a description of Cross Connections on the Premises and the degree of hazard classification (and basis for such classification); and

(4) the required re-inspection frequency for the Cross Connection and any Backflow Preventer and any testing frequency for such Backflow Preventer and testable assemblies.

b. In accordance with the Part 14 of the Michigan Safe Drinking Water Act, the Township shall report the status of the Cross Connection program to EGLE annually, which report shall include and summarize the Township's testing, inspection, and corrective action efforts. The Township shall maintain Cross Connection records to document the information included in the annual report. All required EGLE annual reports shall be retained by the Township for a minimum of 10 years. As part of the annual report, the Township shall include information on the Township's public education efforts and training of Township staff and Inspectors regarding the existence and elimination of Cross Connections.

Section 1010. Discontinuation of Service Due to Cross Connection. Subject to Section 1011, the Township is hereby authorized to discontinue water service to a Premises after reasonable written notice to a Customer when any of the following occur:

a. A Cross Connection or unapproved Back Flow Preventer exists; or

b. A Customer fails to test or re-test any installed Backflow Preventer assembly as required by this Article; or

c. A Customer fails to promptly repair or replace a Backflow Preventer that fails a test required by this Article.

Section 1011. Health Hazard. The Township shall immediately stop water service to any Customer discovered to have a Cross Connection or condition described in Section 1010 that creates an imminent Health Hazard. A Cross Connection or condition described in Section 1010 that does not pose an imminent Health Hazard shall be eliminated within 30 days of written notice by the Township to the Customer. In accordance with this Article, the Township has sole discretion to determine whether such a connection or condition constitutes an imminent Health Hazard. The Township may take such other precautionary measures as necessary to eliminate any danger of Contamination of the Water System. Water service to such premises shall not be restored until such Cross Connection has been eliminated and the Customer pays a turn-on charge and any other associated fees or charges incurred by the Township as a result of the Cross Connection including, but not limited to, contractor expenses, inspection costs, legal, administrative, and enforcement costs, as a Miscellaneous Customer Fee.

**ARTICLE XI
WATER SUPPLY RATES AND CHARGES**

Section 1101. Public Utility Basis. The System shall be operated by the Township on a public utility basis pursuant to state law, including Act 94 of the Public Acts of Michigan of 1933, as amended. The System shall be operated on the same fiscal year as that of the Township. From time to time, the Township Board shall review and revise, if appropriate, Water Supply Rates and Charges to ensure that all Water System Rates and Charges provide sufficient revenues necessary to meet Water System expenses, to provide for Operation, Maintenance and Replacement Costs as necessary to preserve the Water System in good repair and working order, and are in accordance with applicable law.

Section 1102. Readiness to Serve Fee. Customers shall pay a Readiness to Serve Fee based on the allocation of REUs to the Premises in accordance with this ordinance. The Readiness to Serve Fee shall be paid monthly or quarterly in arrears at the rate established by resolution of the Township Board from time to time.

Section 1103. Water Use Fee. Customers shall pay a Water Use Fee based on metered water service, to be paid monthly or quarterly in arrears, at the rate established by resolution of the Township Board from time to time. At the discretion of the Township Board, the Water Use Fee may contain a separately itemized component for the cost of Township compliance with the Safe Drinking Water Act and other applicable governmental mandates. In lieu of the foregoing, the Township Board shall have the discretion to establish by resolution from time to time a Water Use Fee on a per Unit basis with a minimum assignment of one Unit per Customer, to be paid monthly or quarterly in arrears.

Section 1104. Accrual Date. The Readiness to Serve Fee and the Water Use Fee shall begin to accrue upon the earlier of (a) the date of issuance of an occupancy permit by the Township or (b) the 150th calendar day after the water service permit application is filed with the Township in accordance with Section 502. If necessary, the initial billing of the Readiness to Serve Fee and, if billed on a per Unit basis, the Water Use Fee may include a pro rata billing in arrears to the accrual date determined in the manner provided above.

Section 1105. Connection Fee. The owner of a Premises who applies for connection of the Service Line to the System shall pay a Connection Fee and a Meter Fee in accordance with Section 1106, and an Inspection and Administration Fee, in accordance with Section 1107.

a. **Computation.** The Connection Fee shall be a rate per Unit established by resolution of the Township Board from time to time, with a minimum assignment of one Unit per Premises. A Premises with an Unmetered Fire Protection Connection not otherwise connected for Potable Water use shall be assessed a Connection Fee, based on the assignment of Units and as determined by resolution of the Township Board from time to time.

b. **Credit Applicable to Properties Subject to Special Assessment.** Those parcels located in a Special Assessment District and subject to a full special assessment on the Special Assessment Roll shall be deemed to have paid the Connection Fee, if payments on the special assessment are current; provided, however, that such credit shall not result

in a full or partial refund of the special assessment paid or payable pursuant to the Special Assessment Roll, unless specifically established by the Township at the time the Special Assessment Roll was confirmed by the Township; provided further that a partial special assessment (levied, for example, on a vacant lot) shall be offset against the Connection Fee.

c. **Cash Payment.** The Connection Fee shall be paid in cash, to the extent not offset by a credit, prior to the issuance by the Township of a Service Connection permit to connect to the Water System pursuant to Article V.

d. **Increased Utilization of Water System.** In the event a change in use of a Premises is proposed which will increase the utilization by that Premises of the Water System, then the owner of the Premises shall submit a new application for a Service Connection permit, the Township in accordance with the procedures set forth in Article V for the issuance of a Service Connection permit shall assign additional Units to the Premises to reflect such increased utilization and an additional Connection Fee based on the additional assigned Units shall be payable.

e. **Repair and Replacement of Service Connection.** In the event the connection of a Service Line to a Service Connection for a Premises for which a Connection Fee has been paid is repaired, revised, or replaced, no additional Connection Fee shall be payable provided that an increase in the utilization by said Premises of the Water System does not occur as a result of said repair, revision or replacement. An additional Inspection and Administration Fee may be payable as a result of said repair, revision or replacement, depending upon the circumstances.

Section 1106. Meter Fee. The Meter Fee shall be established by resolution of the Township Board from time to time.

Section 1107. Inspection and Administration Fee. The Inspection and Administration Fee shall be determined from time to time by resolution of the Township Board.

Section 1108. Fire Hydrant Fee. A Person shall apply to the Township to use Public Water from a fire hydrant for private use and shall pay a Fire Hydrant Fee. All other uses of unmetered public fire hydrants will be maintained at the expense of the System.

Section 1109. High Pressure District Service Fee. The owner of a Premises located within a High Pressure Service District who applies for connection of the Service Line to the System shall pay, in addition to other applicable Water Supply Rates and Charges specified by this Ordinance, a High Pressure District Service Fee at the time of application for such connection.

Section 1110. Miscellaneous Customer Fee. The Township shall, from time to time, establish by resolution and impose on one or more Customers a Miscellaneous Customer Fee, as necessary, for the cost of miscellaneous services, repairs and related administrative costs associated with the Water System and incurred by the Township as a result of the intentional or negligent acts of such Customer or Customers, including for example and without limitation, excessive inspection services not covered by the Inspection and Administration Fee and services to turn water service on and off. The Customer shall be charged a fee established by resolution of

the Township Board from time to time whenever the Township is requested by the Customer to turn on or off water service. Whenever the Township is requested to provide turn-on or off services at times other than regular business hours of the Township, there will be imposed an additional charge of labor and materials.

Section 1111. Billing and Collection. Water Supply Rates and Charges shall be billed quarterly. Meters will typically be read by the 15th of the month for each quarter, and bills will be sent out, thereafter, to be received by a Customer on or around the 22nd of that month. Payment will be due on or before the 15th of the following month, however holidays may change due dates for convenience. A Customer whose bill is not paid on or before the due date shall have a penalty charged based on the Township's fee schedule, added thereto and shall be mailed a reminder approximately one week after the due date for the quarterly bill. The reminder bill will notify the Customer that the entire payment must be paid in full within two weeks, or the Customer's water service will be shut off. A water shut off notice will also be posted on the Premises 72 hours prior to the shut off. If the water is shut off, water service shall not be restored until the entire balance has been paid in full. Under special circumstances and in the sole discretion of the Township, the Township and the Customer may agree to a payment plan for the payment of any past due amounts, which will suspend the Water shut off and the accrual of penalty charges, provided the Customer makes the required monthly payments pursuant to the payment plan. Provided that a Customer is in compliance with all other provisions of this Ordinance, the Township will not shut off a Customer's water service if the Customer owes less than \$100 in past due water bills. Bills and notices will be mailed to the address listed on the water permit application filed with the Township unless a change of address has been filed in writing at the business office of the Township. No person shall be excused from payment of a bill by reason of non-delivery of such bill or notice. Payment of said bill shall be made at the Township business office. The Township may choose to bill monthly or to stagger billing if so desired.

Section 1112. Late Payments. If Water Supply Rates and Charges are not paid on or before the due date then a late payment penalty of 5.0% per quarter or fraction of a quarter shall be charged on the unpaid balance until the Water Supply Rates and Charges are paid or certified for placement on the tax roll in accordance with Section 1114, below.

Section 1113. Township Remedies. If Water Supply Rates and Charges are not paid on or before the due date, the Township, pursuant to Act 178 of the Public Acts of Michigan of 1939, as amended, may (i) discontinue the services provided by the Water System by disconnecting the Service Line from the Service Connection or by turning off the curb stop, and the service so discontinued shall not be reinstated until all sums then due and owing, including penalties, interest and all expenses incurred by the Township for shutting off and turning on the service, shall be paid to the Township; (ii) institute an action in any court of competent jurisdiction for the collection of the amounts unpaid, including penalties, interest and reasonable attorney fees; or (iii) enforce the lien created in Section 1114 below. Before disconnecting service, the Township shall give thirty (30) days written notice to the Customer at the last known address according to the Township records and the Township Tax Assessment Roll. The notice shall inform the Customer that the Customer may request an informal hearing to present reasons why service should not be disconnected. These remedies shall be cumulative and shall be in addition to any other remedy provided in this Ordinance or now or hereafter existing at law or in equity including, without limitation, the alternative procedures set forth in Section 21 of the Revenue Bond Act of 1933, as

amended, for certifying delinquent Water Supply Rates and Charges for placement on the tax roll. Under no circumstances shall actions taken by the Township to collect unpaid Water Supply Rates and Charges, penalties and interest, invalidate or waive the lien created by Section 1114 below.

Section 1114. Lien; Assessment of Delinquent Rates and Charges on Tax Roll. The Water Supply Rates and Charges shall be a lien on the respective Premises served by the System. Whenever Water Supply Rates and Charges shall be unpaid when due, they shall be considered delinquent. The Township Treasurer shall certify annually all delinquent Water Supply Rates and Charges and late payment penalty thereon, together with an additional amount equal to 10% of the aggregate amount outstanding, on or before October 1, of each year, to the tax-assessing officer of the Township, who shall enter the delinquent Water Supply Rates and Charges, interest and penalties upon the next tax roll as a charge against the Premises affected and such charge shall be collected and the lien thereon enforced in the same manner as ad valorem property taxes levied against such Premises.

Section 1115. Leased Premises; Security Deposit. A lien shall not attach for Water Supply Rates and Charges to a Premises which is (a) separately metered and (b) subject to a legally executed lease that expressly provides that the tenant (and not the landlord) of the Premises or a dwelling unit thereon shall be liable for payment of Water Supply Rates and Charges, effective for services which accrue after the date an affidavit is filed by the landlord with the Township. This affidavit shall include the names and addresses of the parties, the expiration date of the lease and an agreement by the landlord to give the Township 20 days written notice of any cancellation, change in or termination of the lease. The filing of the affidavit by the landlord shall be accompanied by a true copy of the lease and a security deposit in the amount of \$100.00 for a dwelling unit. A larger security deposit may be required by the Township Treasurer for Commercial Customers and Industrial Customers. Upon the failure of the tenant to pay the Water Supply Rates and Charges when due, the security deposit shall be applied by the Township against the unpaid balance, including interest and penalties. Upon notification by the Township, the landlord or tenant shall immediately make sufficient payment to the Township to cover the amount of the security deposit so advanced. Upon the failure of the landlord or tenant to do so within ten (10) days of said notification, the penalties, rights and remedies set forth in Sections 1113 and 1114 of this Article shall be applicable with respect to the unpaid Water Supply Rates and Charges, including interest and penalties. The security deposit shall be held by the Township without interest and shall be returned to the landlord upon proof of termination of the lease.

Section 1116. No Free Service. No free service shall be furnished by the System to any Person, public or private, or to any public agency or instrumentality.

Section 1117. Cancellation of Permits; Disconnection of Service. Applications for connection permits may be cancelled or denied and/or water service disconnected by the Township for any violation of any part of this Ordinance, including, without limitation, any of the following reasons:

- a. Misrepresentation in the permit application as to the nature or extent of the property to be serviced by the System.
- b. Nonpayment of Water Supply Rates and Charges.

- c. Improper or imperfect connection and/or failure to keep Service Lines in a suitable state of repair.
- d. Damage to any part of the Water System.
- e. Existence of a Cross Connection.

Section 1118. Turn on Following Disconnection; Security Deposit. If the water service supplied to a Customer has been discontinued for nonpayment of Water Supply Rates and Charges, service shall not be reestablished until all delinquent Water Supply Rates and Charges, including interest and penalties, and the turn-off and turn-on charge has been paid. The Township reserves the right as a condition to reconnect said service to request that a nominal sum of \$100 per dwelling unit be placed on deposit with the Township for the purpose of establishing or maintaining any Customer's credit. A larger security deposit may be required by the Township Treasurer for Commercial Customers and Industrial Customers. Said deposit shall not be considered in lieu of any future billing for Water Supply Rates and Charges. Upon the failure of the Customer to pay the Water Supply Rates and Charges when due, the security deposit shall be applied by the Township against the unpaid balance, including interest and penalties. Upon notification by the Township, the Customer shall immediately make sufficient payment to the Township to cover the amount of the security deposit so advanced. Upon the failure of the Customer to do so within ten (10) days of said notification, the penalties, rights (including lien rights) and remedies set forth in Sections 1113 and 1114 of this Article shall be applicable with respect to the unpaid Water Supply Rates and Charges, including interest and penalties. The security deposit shall be held by the Township without interest and shall be returned at the Customer's request upon continued timely payments by the Customer of all Water Supply Rates and Charges as and when due, for a minimum of four successive quarterly billing periods.

ARTICLE XII FLOW OF FUNDS

Section 1201. Revenues; Depository. All Revenues of the Water System shall be set aside, as collected and deposited into separate funds in one or more banks designated by the Township Board and duly qualified to do business in Michigan in the manner and at the time(s) hereafter specified.

a. **Water Operating and Maintenance Fund.** Except to the extent required by Section 1201(b) all Revenues of the Public Water System shall be deposited into a separate depository bank account entitled "WATER OPERATING AND MAINTENANCE FUND" and allocated to separate subaccounts in the following manner:

(1) **Operation and Maintenance Account.** On a quarterly basis, adequate revenues from the collection of Water Use Fees and Readiness to Serve Fees sufficient to provide for the payment of the next quarter's current expenses of administration and operation of the Water System and such current expenses for the maintenance of the Water System to preserve the Water System in good repair and working order shall be deposited to the Operation and Maintenance Account.

(2) **Improvement Account.** There shall next be established and maintained an account, designated "Improvement Account," which shall be used for the purpose of making improvements in the efficiency of the Water System through the use of new technology and the replacement or repair of obsolete or inefficient components to prevent overburdening of or failures in the Water System. There shall be set aside into said fund, after provision has been made for the Operation and Maintenance Account, such revenues derived from Water Use Fees and Readiness to Serve Fees and other revenues as the Township Board shall deem necessary for this purpose.

(3) **Surplus Account.** Collections of revenues not allocated to one of the above described accounts or to a debt service fund or account in accordance with Section 1201(b) shall be allocated to the "Surplus Account." The funds on deposit in the Surplus Account may be used for any lawful purpose related to the Public Water System.

b. **Debt Service Funds.** For the payment of debt service on bonds issued by or on behalf of the Township with respect to the Water System, separate depository bank accounts shall be established and maintained.

c. **Bank Accounts.** Moneys belonging to a single fund and all sub-accounts may be kept in one bank account, in which event the moneys shall be allocated on the books and records of the Township within this single bank account, in the manner set forth above.

Section 1202. Transfer of Funds. In the event the moneys in the Operation and Maintenance Account are insufficient to provide for the current requirements of the Operation and Maintenance Account, any moneys and/or securities in other accounts of the Water Operating and Maintenance Fund, shall be transferred to the Operation and Maintenance Account, to the extent of any deficit therein and these monies shall be replaced in the next operating year.

Section 1203. Investment of Funds. Moneys in any fund or account established by the provisions of this Ordinance may be invested in the manner provided in the Township Investment Policy. Income received from such investments shall be credited to the fund from which said investments were made.

ARTICLE XIII UTILITIES ADMINISTRATOR

Section 1301. Administrator. The Utilities Administrator shall coordinate the operation, maintenance, and administration of the System, including ordinance application and enforcement for the Township.

ARTICLE XIV WATER AND SEWER ADVISORY COMMITTEE; APPEALS

Section 1401. Water and Sewer Advisory Committee A Water and Sewer Advisory Committee (the "Committee") shall be appointed by the Township Board from time to time. The

Committee shall study, investigate, make recommendations to the Township Board concerning all aspects of managing and extending the System, including discussions with developers for extension of the System, discussions with other municipalities, consideration of capital improvements, and any other matters connected with the System. Recommendations of the Water and Sewer Advisory Committee shall be presented to the Township Board at a regular or special meeting, and shall not be enforceable or binding unless adopted by the Township Board.

Section 1402. Appeals; Variances. In order that the provisions of this Ordinance may be reasonably applied and substantial justice done in instances where unnecessary hardship would result from carrying out the strict letter of this Ordinance, the Committee shall consider appeals and/or requests for a variance from the Utilities Administrator with regard to the Water System. The Committee may determine, in particular cases, whether any deviation from strict enforcement will violate the intent of the Ordinance or jeopardize the public health, safety or welfare.

a. Any Customer may appeal the Water Supply Rates and Charges levied in accordance with this Ordinance, or the application of any other provision of this Ordinance. Appeals shall be directed in writing to the Committee, along with any supporting documentation for the matter in question. Any additional information required to resolve the appeal, as directed by the Committee, shall be provided by the Customer at his or her own expense.

b. The Committee may consider and grant a variance from the Water Supply Rates and Charges, with respect to amount, time and manner of payment, or from application of any provision of this Ordinance.

(1) The Committee shall first consider a Customer's application for an appeal or variance, and shall make a recommendation to the Township Board for action within sixty days.

(2) The Township Board may grant such an appeal or variance if the Township Board determines that:

(a) Strict application of this Ordinance would cause undue hardship;

(b) There are special circumstances applicable to the property in question which are not applicable to a significant number of other properties;

(c) The hardship does not result from the applicant's own actions; and

(d) The grant of the appeal or the variance would be consistent with the intent and purpose of this Ordinance, and it would not be contrary to the public health and safety.

(3) The Township Board may approve, deny or approve with modifications, the recommendation received from the Committee with respect to an application for an appeal or variance.

(4) If an appeal or variance is approved by the Township Board, the Township shall, if necessary, adjust the applicant's Rates and Charges accordingly, and refund any monies due. Appropriate conditions may be placed upon a variance to accomplish the purposes of this Ordinance. Any refund shall be retroactive for the previous twelve months billings only. All bills for Water Supply Rates and Charges outstanding during the appeal shall continue to be due and payable.

(5) The Committee shall not make any decision on an application for an appeal or variance if Water Supply Rates and Charges are delinquent with respect to the Premises in question, unless the Committee determines that non-payment is a result of severe economic hardship.

Section 1403. Effect of Administrative Action. If any appeal or variance is not demanded within the periods specified herein, such administrative action shall be deemed final. In the event a Customer demands either or both an appeal and variance, any action subject to appeal shall be suspended until a final determination has been made, except in the case of an immediate cease and desist order issued pursuant to this Ordinance.

Section 1404. Appeal from Decision of Township Board. Appeals from the determinations of the Township Board may be made to the Circuit Court for the County of Ottawa within twenty (20) days as provided by law.

ARTICLE XV POWERS AND AUTHORITY OF TOWNSHIP EMPLOYEES OR REPRESENTATIVES

Section 1501. Township Representatives. Duly authorized employees or representatives of the Township, bearing proper credentials and identification, shall be permitted to enter upon all Premises at all reasonable hours served by the System for the purpose of meter reading, inspection, observation, measurement, sampling, testing, replacement and repairs in accordance with the provisions of this Ordinance.

Section 1502. Inspection of Plumbing System. Duly authorized employees or representatives of the Township, bearing proper credentials and identification, shall be permitted to enter upon all Premises served by the System for the purpose of determining the presence of Cross Connections and test or inspect devices preventing Cross Connections. On request, the Customer shall furnish to the Township all pertinent information regarding the Plumbing System of the Premises. Refusal of such access or information shall be prima facie evidence of the presence of Cross Connection.

Section 1503. Customer Safety Rules. While performing the duties in Sections 1301 and 1502 above, the duly authorized employees or representatives of the Township shall observe all reasonable safety rules applicable to the Premises established by the Customer.

ARTICLE XVI PENALTIES

Section 1601. Destruction of System. No unauthorized Person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with, climb upon, or enter into any structure, appurtenance, or equipment of the System or connect or disconnect any Service Line to any Service Connection.

Section 1602. Notice to Cease and Desist. Except for those violations provided in Section 1601 hereof, any Person found to be violating any provision of this Ordinance shall be served by the Township with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 1603. Civil Infraction. Any violation of Section 1601, or any violation beyond the time limit provided for in Section 1602, shall be a municipal civil infraction. For a first offense, a municipal civil infraction citation shall be issued, for which the fine shall be not less than \$100.00 and not more than \$249.00 and not less than \$250.00 and not more than \$2,499.00 for a second subsequent offense, in the discretion of the court, in addition to all other costs, damages, expenses and actual attorney fees incurred by the Township in enforcing the Ordinance as ordered by the court. For the purposes of this Section, "subsequent offense" means a violation of this Ordinance committed by the same person within 12 months of a previous violation of the Ordinance for which said person admitted responsibility or was adjudicated to be responsible, provided, however, that offenses committed on subsequent days within a period of one week following issuance of a citation for a first offense shall be considered separate first offenses. Each day that such violation occurs shall constitute a separate offense. Any person violating any of the provisions of this Ordinance shall, in addition, become liable for any expense, including reasonable attorney fees, loss, or damage occasioned by reason of such violation. The Township Supervisor and the Utilities Administrator or his/her authorized agent, including, but not limited to, the Township's contract operator of the System, are hereby authorized to issue, in the manner provided by law, citations for municipal civil infractions for violations of this Ordinance.

Section 1604. Nuisance. Any nuisance or any violation of this Ordinance is deemed to be a nuisance per se. The Township in the furtherance of the public health is hereby empowered to make all necessary repairs or may enforce the requirements of this Ordinance by injunction or other remedy, or take other corrective action necessitated by such nuisance or violation. The Person who violated the Ordinance or permitted such nuisance or violation to occur shall be responsible to the Township for the costs and expenses incurred by the Township in making such repairs or taking such action.

Section 1605. Liability for Expense. Any Person violating any of the provisions of this Ordinance shall become liable to the Township and its representatives for any expense, including reasonable attorney's fees, loss, or damage, incurred by the Township by reason of such violation.

Section 1606. Remedies Cumulative. The remedies provided by this Ordinance shall be deemed to be cumulative and not mutually exclusive.

**ARTICLE XVII
MISCELLANEOUS**

Section 1701. Repeal of Conflicts. All ordinances or parts of ordinances in conflict herewith and relating to the Water System are hereby repealed.

Section 1702. Severability. The validity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 1703. State and Federal Law Requirements. If any provision of applicable state or federal law imposes greater restrictions than are set forth in this Ordinance then the provisions of such state or federal law shall control.

Section 1704. Article and Section Headings. The Article and Section headings used in this Ordinance are for convenience of reference only and shall not be taken into account in construing the meaning of any portion of this Ordinance.

Section 1705. Savings Clause. An ordinance enforcement action which is pending on the effective date of this Ordinance under a provision of Ordinance No. 130, as amended, which is modified or repealed by this Ordinance, or an ordinance enforcement action which is commenced within one (1) year after the effective date of this Ordinance arising from a violation of Ordinance No. 130, as amended, or provisions amended or repealed by this Ordinance and which was committed prior to the effective date of this Ordinance, shall be handled, determined and resolved in accordance with the permit, remedies and procedures provided by such ordinance exactly as if Ordinance No. 130, as amended, had not been amended or repealed. Further, all charges, fees, interest and/or penalties levied, imposed or accrued but not yet billed or paid under Ordinance No. 130 that are unbilled or uncollected as of the effective date of this Ordinance shall be billed and collected by the Township under the terms of Ordinance No. 130, as amended, or any permit issued thereunder.

**ARTICLE XVIII
PUBLICATION AND EFFECTIVE DATE**

Section 1801. Publication. 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 Clerk and Supervisor.

Section 1802. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after its publication as provided by law.

**ARTICLE XIX
AMENDMENT**

Section 1901. Reservation of Right to Amend. The Township specifically reserves the right to amend this Ordinance in whole or in part, at one or more times hereafter, or to repeal the

same, and by such amendment to repeal, abandon, increase, decrease, or otherwise modify any of the Water Supply Rates and Charges herein provided.

Ordinance No. 20-007 passed and adopted by the Township Board of the Charter Township of Jamestown, County of Ottawa, Michigan, on November 16 2020, and approved by me on November 20, 2020.

Ordinance No. 21-001 passed and adopted by the Township Board of the Charter Township of Jamestown, County of Ottawa, Michigan, on January 18, 2021, and approved by me on January 19, 2021.

Ordinance No. 22-001 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

APPENDIX A

TABLE OF RESIDENTIAL EQUIVALENT UNITS

Jamestown Charter Township Schedule of Unit Factors

User	Residential Equivalent Unit Factor
Auto Dealer (sales and/or service)	1.00/premises + 0.40/1,000 sf
Bakery	1.25/1,000 sf
Bank	1.000/1,000 sf
Bar	3.00/1,000 sf
Barber Shop	1.00/shop + 1.00/1,000 sf
Beauty Shop	1.00/shop + 1.00/1,000 sf
Boarding House, Boarding School, Dormitory, Fraternity/Sorority, etc.	1.00/premises + 0.25/bedroom
Bowling Alley (with bar and/or restaurant)	0.16/alley (bar and restaurant to be computed at their respective residential equivalent)
Car Wash	<ul style="list-style-type: none"> a. Manual do-it-yourself 2.50/stall b. Semi-automatic (mechanical without conveyor) 10.00/lane c. Automatic (with conveyor) 20.00/lane d. Automatic (with conveyor, conserving and recycling water) 8.00/lane
Church	0.20/1,000 sf
Cleaners (pick-up only, no-on site cleaning or pressing facilities)	1.00/shop
Cleaners (cleaning and pressing facilities)	1.25/premises + 1.00/1,000 sf

User	Residential Equivalent Unit Factor
Condominium	1.00/unit
Convalescent Home	0.22/bed
Convenience Store	1.00/1,000 sf
Day Care Center	1.00/premises + 0.25/1,000 sf
Drug Store	1.00/1,000 sf
Factory (excludes excess industrial use)*	0.50/1,000 sf
Fraternal Organization (with bar and/or restaurant)	0.16/hall (bar and restaurant computed at their respective residential equivalent)
Funeral Home	1.42/1,000 sf
Health Club	1.25/1,000 sf (swimming pool to be computed at its respective residential equivalent)
Hospital	1.10/bed
Hotel, Motel	0.40/room
Laundry (self-serve)	0.54/washer
Malls (enclosed)	0.30/1,000 sf (extensive water users within a Mall, such as restaurants and health clubs, to be calculated based upon their respective equivalent)
Marina	0.10/slip
Mobile Home, Trailer Park	1.00/unit
Multiple Family Residence (Apartments)	1.00/unit
Office Building (general)	0.40/1,000 sf

User	Residential Equivalent Unit Factor
Office Building (medical, dental, clinic, etc.)	1.42/1,000 sf
Post Office	1.00/1,000 sf
Public Institution – Others	0.75/1,000 sf
Restaurant (with bar)	2.50/1,000 sf (bar to be computed at its respective residential equivalent)
Restaurant (drive-through only)	3.00/1,000 sf
Retail Store	1.00/premises + 0.30/1,000 sf
Rooming House (no meals)	0.25/bed
School	1.00/classroom (swimming pool to be computed at its respective residential equivalent)
Service Station/Auto Repair Shop	1.00/premises + 0.40/1,000 sf
Single-Family Residence	1.00/unit
Snack Bar, Drive-In	4.00/1,000 sf
Strip Malls and Businesses with common walls	Minimum of 1.00 per business + 0.30/1,000 sf (extensive water users such as restaurants and health clubs will be calculated based upon their respective equivalent)
Supermarket, Grocery Store	1.10/1,000 sf
Swimming Pool (indoor, including showers)	2.85/1,000 sf (water area)
Theater -Drive-In	0.25/1,000 sf (of service buildings)
Theater -Indoor	2.00/theater

User	Residential Equivalent Unit Factor
Travel Trailer Parks and Campgrounds	0.20/site
Two-Family Residence	2.00/building
Utility Sub-Station	0.10/1,000 sf
Veterinary Facility	1.50/premises
Veterinary Facility with Kennel	1.50/premises + 0.50/kennel
Warehouse or Storage Building	0.10/1,000 sf
Waste Disposal Station	2.00/station

1. Combination uses will be computed at their combined equivalent unit factors.
2. Multiple use buildings with common walls will have trunkages calculated based on upon each use.
3. The minimum residential equivalent is 1.00.
4. Trunkages will be calculated to the hundredth.
5. For customers using water for processing, and commercial or institutional facilities not covered by the residential equivalence unit table, the following methodology shall be used to determine the benefits:
 - a. Benefits will be determined based upon the estimated peak use for the facility divided by the typical residential peak use. Actual peak use will be determined from meter readings or by a continuous flow recorder installed and maintained by the customer for a period of up to 30 days. Adjustment of the number of benefits based upon the actual measurements will be calculated, and the trunkage, ready-to-serve, and other charges which may have been over or underbilled will be remedied. This process of actual benefit determination and remedy will occur within one year of installation of the customer meter.
 - b. This methodology may be utilized in the situation where the size of the building creates a benefit calculation that is unrealistic (i.e., large building with a small amount of water/sewer usage).

EXHIBIT A

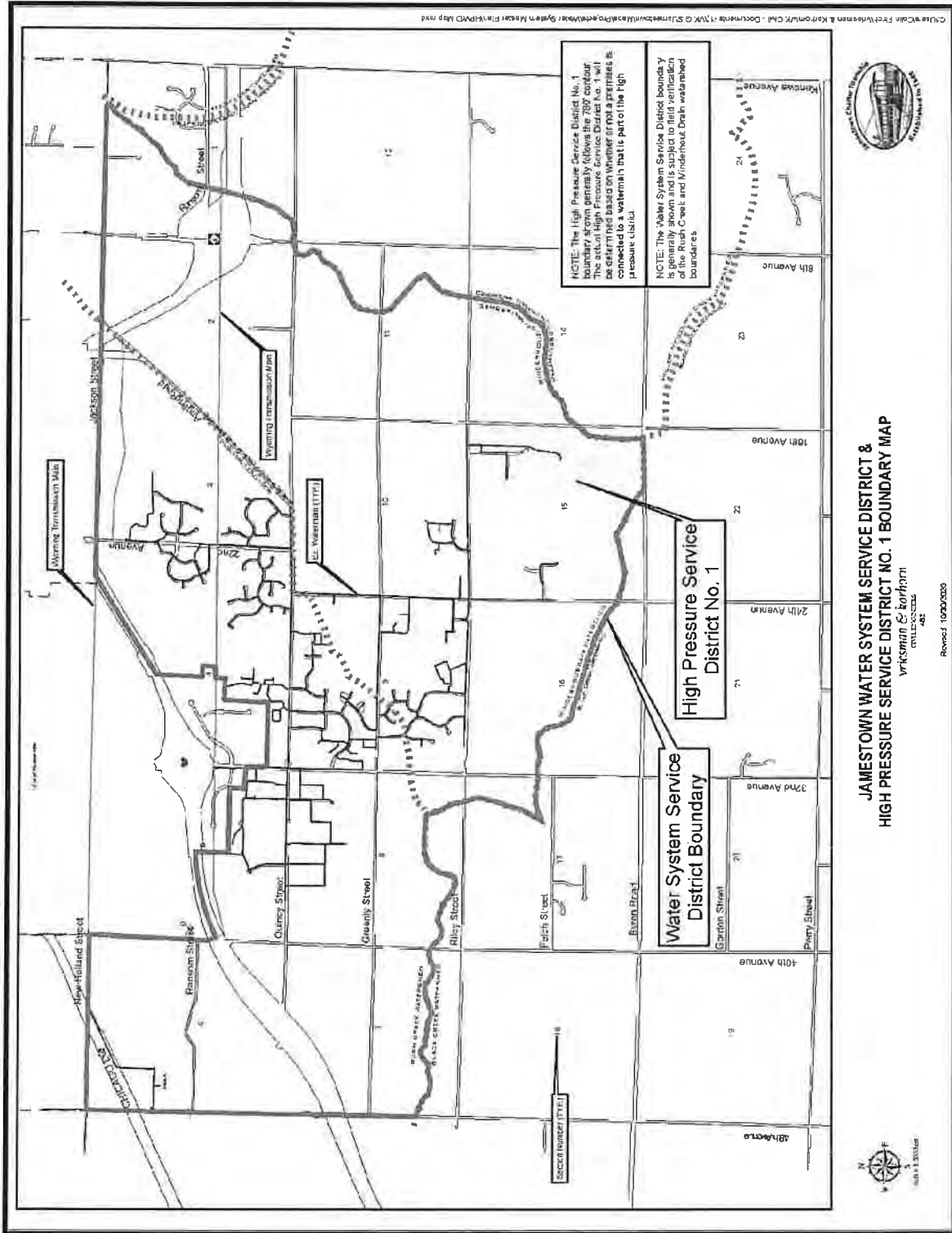
RESIDENTIAL EQUIVALENCE UNIT (REU)

DETERMINATION OF THE SEWER PLANT CONNECTION CHARGE

All single-family residential regardless of meter size		1.00 REU
All duplexes regardless of meter size		2.00 REU
All multiple-unit residential, condominiums, townhomes, apartments		1.00 REU per living unit
Mobile home parks		1.00 REU per site
All others per meter size:	5/8 inch	1.00 REU
	3/4 inch	1.50 REU
	1 inch	2.50 REU
	1-1/2 inch	5.00 REU
	2 inch	8.00 REU
	3 inch	17.50 REU
	4 inch	35.00 REU
	6 inch	70.00 REU

APPENDIX B

MAP OF JAMESTOWN WATER SUPPLY DISTRICT




CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing is a compiled copy of the Ordinances listed below, which were adopted at regular meetings and for which public notice of each 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:

- Ordinance No. 20-007, adopted on November 16, 2020;
- Ordinance No. 21-001, adopted on January 18, 2021; and
- Ordinance No. 22-001, adopted on February 21, 2022.

I further certify that each of the Ordinances listed above have 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:

1. the Water Connection, Use and Rate Ordinance (Township Ordinance No. 20-007) or a summary thereof was published in *The Grand Rapids Press* on December 1, 2020.
2. the Amendment to the Water Connection, Use and Rate Ordinance (Township Ordinance No. 21-001) or a summary thereof was published in *The Grand Rapids Press* on January 26, 2021.
3. 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