

**TOWNSHIP OF RICHLAND
KALAMAZOO COUNTY, MICHIGAN**

ORDINANCE NO. 277

**ORDINANCE AMENDING THE PUBLIC WATER AND SEWER SERVICE ORDINANCE
ORDINANCE NO. 72 OF THE RICHLAND TOWNSHIP
CODE OF ORDINANCES**

ADOPTED: SEPTEMBER 17, 2019

EFFECTIVE: SEPTEMBER 25, 2019

An Ordinance amending the Township of Richland Public Water and Sewer Service Ordinance, Ordinance No. 72 compiled as Section 161.00 et seq. of the Richland Township Code of Ordinances; by adding the Michigan Compiled Law citation for Michigan Public Act 188 of 1954; to identify sources of prima facie evidence of threats to groundwater resources and health or safety hazards; to add provisions regarding abandoned and discontinued wells; to provide an effective date; and to repeal conflicting ordinance provisions.

The Township of Richland, Kalamazoo County, Michigan ordains:

SECTION 1

**AMENDMENT TO SECTION 161.002(B) OF THE RICHLAND TOWNSHIP CODE OF
ORDINANCES BY THE
ADDITION OF MICHIGAN COMPILED LAWS CITATION
THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 161.002 "Procedure," Section II(B) "Special assessment district", of the Richland Township Code of Ordinances is hereby amended by the deletion of the phrase "M.S.A. Sec. 5.2770" and the substitution thereof with the phrase "M.C.L. 41.721 et seq.")

SECTION 2

**AMENDMENT TO SECTION 161.003(K)(1)
OF THE RICHLAND TOWNSHIP CODE OF ORDINANCES BY THE ADDITION OF IDENTIFICATION
OF PRIMA FACIE THREATS TO GROUNDWATER RESOURCES AND HEALTH OR SAFETY HAZARDS
THE RICHLAND TOWNSHIP CODE OF ORDINANCES**

Part 161.003(K)(1) "Water service connections", is hereby amended by the addition of subsections (a.) and (b.) identifying sources of prima facie evidence of threats to groundwater resources and health or safety hazards related to wells located in the Township to read as follows:

"a. Where a well is determined to be a threat to groundwater resources due to contaminants by the Township Engineer, the Kalamazoo County Health and Human Services Department, the State of Michigan, or one of its groundwater consultant contractors, the Township Board will accept a written notification from the County Health Department; the State of Michigan or the

Township Engineer as prima facie evidence that a health hazard exists and shall order discontinuance of the private water supply (well) and shall require connection to the public water line. In the case of such order, arrangements for the provision of safe/bottled water shall be assured by the safe/bottled water supply entity in consultation with the Township.

b. Where a well is deemed a health or safety hazard due to contamination by the Kalamazoo County Health and Human Services Department, the Township Engineer, the State of Michigan or one of its groundwater consultant contractors, the Township board will accept notification there from as prima facie evidence that a health hazard exists and shall order discontinuance of the private water supply (well) and shall require connection to the public water line. In case of such order, arrangements for the provisions of safe/bottled water shall be assured by the safe/bottled water supply entity in consultation with the Township.

SECTION 3
AMENDMENT TO SECTION 161.003(K)(5)
ADDITION OF PROVISIONS REGARDING ABANDONED WELLS
THE RICHLAND TOWNSHIP CODE OF ORDINANCES

Part 161.003(K)(5) "Abandoned wells", is hereby added to the Richland Township Code of Ordinances to read as follows:

" 5. Abandoned and discontinued wells.

a. A private discontinued well shall be abandoned when municipal water is installed and shall be plugged pursuant to the State Administrative Rules implementing the Part 127, 368 of 1978, as amended (MCL 333.12701 et seq), the "State Well Code".

b. "Contaminant" as used in this ordinance means any pesticide or fertilizer originated chemical, radionuclide, ion, synthetic organic compound, microorganism, or other waste that does not occur naturally or that naturally occurs at a lower concentration than detected.

c. "Contamination" as used in this ordinance means the direct or indirect introduction into the environment of any contaminant caused in whole or in part by human activity.

d. "Discontinued" shall mean the abatement of use of a private well that has been deemed contaminated or unsafe by one of the entities referred to in paragraphs 161.003(K)(1) herein. A discontinued well shall be abandoned by the owner upon the provision of municipal water to the premises.

SECTION 4
EFFECTIVE DATE AND REPEAL

This Ordinance shall take effect on the day after publication of a summary hereof, after adoption. All ordinances and parts of ordinances in conflict herewith are repealed.

TOWNSHIP OF RICHLAND
Bear Priest, Clerk
7401 N. 32nd Street
Richland, MI 49083
www.richlandtwp.net
269- 629-4921

CLERK'S CERTIFICATE

I, Bear Priest, Township Clerk of the Township of Richland, Kalamazoo County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Richland Township Board held on September 17, 2019, at 7:00 o'clock p.m., at the Richland Township Hall, located at 7401 North 32nd Street, Richland, Michigan, at which the following members were present, the Board enacted and passed Ordinance No. 277, hereinbefore recorded, to become effective September 25, 2019, and that the members of said Board present at said meeting voted on the adoption of said Ordinance as follows:

Lysanne Harma	Yes
Bear Priest	Yes
Marsha Drouin	Yes
Paul Foust	Yes
Dave Wendzel	Yes
Nicole Speedy	Yes

I do further certify that all in accordance with Township Board direction, a summary of the Ordinance as adopted was published in the Kalamazoo Gazette, a newspaper printed in Kalamazoo, and circulated in Richland Township on, Tuesday, September 24, 2019; a copy of Ordinance No. 277 was posted at the Township Hall on Sept 24,, 2019; and that said Ordinance No. 277 was recorded in the official Ordinance Book on Sept 24, 2019.

Dated: 9/24/2019

Bear Priest
Bear Priest, Clerk

ATTEST:

Lysanne Harma
Lysanne Harma, Supervisor