

**CHARTER TOWNSHIP OF BROWNSTOWN
WAYNE COUNTY, MICHIGAN**

ORDINANCE NO. 153-8

**AN ORDINANCE TO RESTATE ORDINANCE NO. 153,
ESTABLISHING RULES AND REGULATIONS FOR
CHARTER TOWNSHIP OF BROWNSTOWN WATER
SUPPLY SYSTEM AND TO PRESCRIBE PENALTIES FOR
FAILURE TO OBSERVE THE RULES AND
REGULATIONS.**

113.510 Authority of Township Board.

In pursuance of, and within the limits of the Constitution and the laws of the State of Michigan, and as provided under Ordinance No. 116, as amended by Ordinance No. 118, Wayne County Ordinances (Wayne County Metropolitan Water Supply System, Brownstown Section) as adopted December 27, 1962, and Brownstown Township Ordinance No. 152 (113.000), the Township Board of the Charter Township of Brownstown, Wayne County, Michigan by itself or through such agents or employees as it shall see fit to employ, is invested with and will exercise full authority and control of the Water Supply System and extensions thereof, also the maintenance and operation of the Water Supply System and shall have authority to enforce all regulations adopted with respect thereto.

113.520 Administration.

Article 1. The Township Board of the Charter Township of Brownstown shall be the administrant of the Water Department and from time to time shall employ such administrative assistance and employees as may be necessary to efficiently operate the Water Department.

Article 2. The rules and regulations hereinafter named shall be considered a part of the contract with every person, firm or corporation that is supplied with water through the water supply system of the Charter Township of Brownstown, Wayne County, Michigan.

Article 3. In all cases where any unusual circumstances make it necessary to deviate from the regular rules, special permission must first be received.

113.530 Water mains and use of water.

Section 3. The water main and water use rules are set forth in this ordinance and control connections to and use of the water supply system.

113.531 Jurisdiction.

No person shall tap or connect any water mains or insert a service cock therein, nor open or close any valves, or hydrants or molest or interfere with any valve box cover, water meter, detector check valve, or other part of the system, excepting employees of the Charter Brownstown Township Water Department or except upon written permission from the office of the Water Department or in case of fire.

113.532 Authority of Department employees.

The duly constituted authorities of the Charter Township of Brownstown shall have power and authority at all reasonable hours to enter upon any premises where water service is established for the purpose of testing, changing, or reading water meter, installing meters, or for making general inspection of water usage, wastage,

etc., and making an examination of all pipes and fixtures connected with the said water works, and they shall have power and authority to require pipes and fixtures to be repaired, removed, replaced or changed where the same are defective or not in compliance with the provisions of the ordinances of said Township or the rules and regulations in relation to the water works of said Township, and they shall make such alterations and repairs or do such other acts with relation to the Water Works as they shall deem necessary. Employees of the Department engaged in such work shall be furnished with and shall prominently display on their person appropriate evidence of identification and upon request shall furnish to the customer additional evidence of identification.

113.533 Fire hydrants.

No person, shall save for the purpose of extinguishing fire, open any fire hydrants on the Charter Brownstown Township Water Supply System or tamper with the same or use the water there from without having first procured a permit from the Water Department of said Township; nor shall any person in any manner obstruct the use of any fire hydrant in said Township, or have, or place, or allow to be placed any material or thing in front thereof; and any and all material found as an obstruction as aforesaid may be forthwith removed by the officers and employees of the Township and at the risk, cost and expense of the owner or claimant.

Permits for opening any fire hydrant or to use water there from in the Charter Township of Brownstown shall be deemed issued only for a definite time and only to a definite person or persons stated in such permit and no permit shall be issued except within a period beginning April 1st and ending October 15th in any year or part thereof; PROVIDED HOWEVER, that special permits may be issued during the periods from October 15th to April 15th in any calendar year as provided.

At the discretion of the Water Department, permits may be issued for opening fire hydrants and to use water there from for construction or other temporary purposes, provided a deposit of as determined by the Township Board is made with the Water Department. After deducting cost of water used and damage, if any, to said hydrants, under said permit, the balance of such deposit, if any, shall be refunded by the Water Department. In addition to the deposit herein before requested, no permit shall be issued to use the water out of fire hydrants until a deposit of as determined by the Township board per month, said sum being the minimum monthly charge for use of fire hydrants, in advance, for the entire length of the permit shall have been paid to the Water Department. Suitable arrangements shall be made for measurement of water used and total payment shall in no case be less than Township rates.

Upon expiration of the time for which a permit has been issued and/or when the said permit shall be surrendered to the Water Department, the Water Department shall immediately inspect said fire hydrants and estimate the damages, if any, to said fire hydrants, resulting from its opening and/or use under said permit. After deducting the amount of said damage so estimated, the balance of said deposit, if any, shall be refunded by the Water Department.

(Amended: Ordinance 153-1, adopted 2-21-89; Ordinance No. 153-7, adopted 8-18-97)

113.534 Fire hydrants on private property.

All fire hydrants which are installed on private water lines which are not within a dedicated easement or right of way, (such as, by way of illustration but not limitation, mobile home parks, multiple dwelling complexes, shopping centers and malls) shall be continually maintained in operational condition by the owner thereof. The owner

shall provide to the Township Water Department on an annual basis a certification by qualified testing firm that said hydrants are fully operational and are winterized so as to provide water for the Fire Department in the event of an emergency.

In lieu thereof, the owner may request the Township to make certification upon making application therefore and paying the fees as prescribed by the Township Board.

(Ordinance No. 153-2. adopted 12-17-90)

113.540 Application for water service connections and meters.

Section 4. All applications for connections to the water service or meters shall be in compliance with the requirements of this ordinance.

113.541 Application for water service.

Application for water service must be made at the Department of Public Works (Water Department), at the Brownstown Township Hall, by the owner of the property.

Premises which may be properly served with water may apply for and receive water service provided:

1. As provided in Section 21, Act 94, Public Acts of Michigan, 1933, as amended, where notice is given that a tenant is responsible for the payment of the consumption rate and debt service rates, no further water service shall be rendered to such premises until a cash deposit in an amount to be determined by the DPW Director for residential premises and for commercial and industrial premises shall have been made as security for the payment of such charges and services.
2. For dwellings likely to require normal maximum usage rate and which are located reasonably adjacent to the main from which same are served, may be served with a 1 inch service. For dwelling or other improved premises which, in the opinion of the Water Department may require more than normal maximum usage rate, or which may be located further from the main from which same are served, shall be served with such size or service as will, in the opinion of the Water Department, be necessary to provide adequate service.
3. The street widths forming the basis of charges as set forth in Section 5 [113.050] of Ordinance 152 are hereby determined to be the street widths as set forth in the current Wayne County Bureau of Taxation records for the various locations along such street, which widths may vary from place to place on any street. The applicant shall be responsible for bringing the service connection from his premise to the street line abutting same, provided that where an easement has been granted for the construction of any of the water mains installed under Ordinance 152 the applicant shall be required to bring the service for his premise only to the premises side of the easement granted. The curb stops shall in all cases be located at the easement granted. The curb stops shall in all cases be located at the ultimate width of the street as determined by the current standards of the Wayne County Road Commission, which provide for a total width on quarter section line roads of 86 feet and a width on section line roads of 120 feet, excepting those roads such as Telegraph Road where wider widths might be required, and the Township of Brownstown, through its duly authorized representatives, agents or contractors, shall have the right

onto the property of the applicant for the purpose of installing the curb stops as herein specified.

(Ordinance No. 153-4, adopted 3-15-93; Ordinance No. 153-5, adopted 3-15-93)

113.542 **Application for service connections.**

Application for service connection shall be made by the owner at the Department of Public Works on a printed form furnished by the Department. This application shall require a description of the property to be served, the kind of building erected or to be erected thereon, the name and address of the owner of the property, the size of the service connection desired, the location of the service connection, acknowledgment that the specified meter couplings were received by the applicant, and his agreement to perform all work in connection with extending the water pipe to and through the building in accordance with the rules, regulations and specifications of the Brownstown Township Department Water Supply, Department of Health, and the State Plumbing Code. It shall also require the owner's signature and address and such other information as the Department may reasonably require.

113.543 **Ownership.**

All meters shall be and remain the property of the Brownstown Township Water Department, who shall maintain all meters in service such periodic tests and repairs as are necessary to insure correct registration. The customer shall be charged for only those repairs made necessary by damage caused by willful act, carelessness or neglect of the occupant, such as failing to protect the meter from freezing temperatures, or allowing the hot water to back through the line to the meter.

All persons are forbidden to interfere with or remove a water meter from any service connection without first receiving permission from the Brownstown Township Water Department.

113.544 **Responsibility.**

The owner of the property is responsible for the safe keeping of meters installed on his premises, and shall, if the meter is lost or stolen from the premises be charged with the actual cost of replacing the missing equipment.

It shall be unlawful for any owner or occupant of any property wherein a water meter is located or installed to construct, place or permit any object, shelf or enclosure to be constructed, installed or maintained within a minimum of two (2) feet of said meter or such other clearance as is reasonably necessary to permit access to said meter for the purpose of repairing, replacing, inspecting or reading same, without the prior consent of the Water Department.

In private houses or buildings used for residence purposes only, it shall (be) at the option and risk of the owner whether he shall use check valves or not on feed pipes entering range boilers. A safety valve must be used whenever a check valve is set.

In the event that any meter is found defective or fails to register, the customer will be charged with the same amount as was charged in the preceding similar seasonal quarter.

Charges made by the Brownstown Township Water Department for repairing meters shall be billed to the customers at list price for parts, plus labor costs, plus ten (10%) percent.

(Amended: Ord. No. 153-1, adopt. 2-21-89; Ord. No. 153-3, adopt. 7-15-91; Ord. No. 153-4, adopt 3-15-93)

113.545 **Procedure for service connections and meter installation.**

All residential service lines shall be a minimum of one (1) inch in diameter. All service connections up to and including two (2) inch diameter shall be of type "K" Copper or High Density Polyethylene or Tubing that meets AWWA C901 standards with all connections flared (with permission of DPW). All service connections must meet or exceed AWWA or same standards. In no case shall any tees or branches be placed in the line between curb stop and meter. When less than one hundred (100) feet, one piece of "K" copper (or HDPE) shall be extended from the curb stop to the meter. All services shall be buried to a minimum depth of five (5) feet from the street line as determined by the Water Department to the entrance into the building. For basement installation, the meter shall be set within a distance of two (2) feet from point of entry into building with angle valve, template and meter coupling on incoming side of meter furnished by the Township, and a full-port ball valve on the outgoing side of meter supplied by the home owner. The full-port ball valve must be placed no more than two (2) feet from the meter setting. For non-basement installations, the same rules shall apply, except that, after point of entry, service pipe must be buried a minimum of two (2) feet below ground to the point of rise to entry into the ground floor level. The service pipe shall be adequately insulated. For slab construction, the same rules shall apply as for basement installation, except that, after point of entry, service pipe may be placed beneath slab to point of entry on first floor. For basement, non-basement and slab installations, the meter location must be placed within two (2) feet of an outside wall. All service line connections and/or outside register locations are subject to the approval of the Water Department. Any changes, alterations and/or repairs made to a water service line are subject to an inspection by the Water Department.

No meters to be installed in crawl space.

Where remote reading meters are installed, the **outside register** shall, where possible, be located on the driveway side of the dwelling or building. Other outside register locations are subject to approval of the Water Department.

Whenever a **meter pit** is required pursuant to the recommendation of the Water and Sewer Department, it shall be constructed in accordance with the following detail: **Meter pit detail available at DPW office.**

(Amended: Ord. No. 153.7, adopt. 8-18-97)

113.546 **Schedule of rates, billing and collection practices.**

The schedule of rates, billing and collection practices shall be those as established by Brownstown Township Ordinance No. 152 (113.00).

113.547 **Disconnection, severance, replacement and reconnection fees.**

The fees for disconnection, severance, replacement of water equipment and the reconnection thereof is as currently determined by the Township Board:

- a) Disconnection fee for severance of water service. *
- b) Replacement of $\frac{3}{4}$ " meter template. *
- c) Replacement of 1" meter template. *
- d) Shut off charge for delinquent water accounts*.
- e) Turn on charge for delinquent water accounts*.

*Use currently determined fee.

(Added: Ord. No. 153-1, adopt. 2-21-89)

113.548 **Meter read and billed bi-monthly.**

All meters covering properties used for domestic purposes shall be read as determined by DPW office and a bill thereupon rendered showing the present and previous meter readings and dates thereof, the amount of water used, the size of meter, the charge for the service rendered, penalties, miscellaneous charges, if any, the arrears balance, if any, the total amount due, the date payment is due and the address of the property to which the bills apply. (Amended: Ord. No. 153-1, adopt. 2-21-89)

113.549 **Meter read and billed monthly.**

All meters serving properties used for other than domestic purposes shall be read monthly on approximately the same day of the month and a bill rendered thereupon, except that all meters, regardless of size, located in a premise that is covered by one or more meters which are read monthly will also be billed monthly.

113.555 **Estimated bills.**

In the event that the water meter is found to be out of order or inaccessible the charge for water will be based, at the option of the Department, either on past consumption experience, or upon the consumption as registered by the substituted meter, either basis of which shall be subject to adjustment for such reasons as may be known or determined in order to arrive at an equitable charge.

113.560 **Violation.**

Any person, firm or corporation violating the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding for each violation as determined by the Township Board. Each day in which any such violation shall continue shall be deemed a separate offense.

113.561 **Compliance.**

The Charter Township of Brownstown will comply with current Michigan Plumbing Codes.

113.570 **Separability clause.**

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

113.580 **Publication.**

This Ordinance shall be immediately recorded by the Township Clerk in the Township Ordinance Book as soon as it is adopted, which record shall be authenticated by the signatures of the Township Supervisor and Township Clerk, and shall be published once in a designated newspaper as determined by the Township Board, a newspaper of general circulation in said Township, within ten (10) days after its passage, and shall become effective upon date of publication.

113.590 **Effective date.**

This ordinance is declared to be immediately necessary for the protection of the public health of the Township.

A copy of this Restated Ordinance shall be available for public use and inspection at the office of the Township Clerk, at the Brownstown Township Hall, 21313 Telegraph Road, Brownstown Township, Michigan.

This Restated Ordinance is hereby declared to have been adopted by the Charter Township of Brownstown, County of Wayne and State of Michigan, at a regular meeting thereof, held on the 5th day of September, 2006, in order to be given publication in the manner prescribed by law.

Arthur Wright, Supervisor

Sherry A. Berecz-Burton, Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the Township Board of the Charter Township of Brownstown at a regular Board Meeting on the 5th day of September, 2006.

Sherry A. Berecz-Burton, Clerk

I further certify that the foregoing was published in The News-Herald, a newspaper of general circulation in the Charter Township of Brownstown, on the 13th day of September, 2006.

Sherry A. Berecz-Burton, Clerk