

**NEW BUFFALO TOWNSHIP
BERRIEN COUNTY, MICHIGAN**

WATER SYSTEM ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE OPERATION, MANAGEMENT, MAINTENANCE, REPAIR AND CONTROL OF THE NW BUFFALO TOWNSHIP WATER SYSTEM; TO ESTABLISH RULES AND REGULATIONS GOVERNING SAID SYSTEM; TO FIX RATES AND CHARGES APPLICABLE TO SAID SYSTEM AND PROVIDE FOR THE COLLECTION THEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ORDAINS:

SECTION 1. TITLE

This Ordinance shall be known as the “Water System Ordinance”.

SECTION 2. PURPOSE

It is hereby determined to be desirable and necessary for the public health, safety and welfare of the Township of New Buffalo, Berrien County, Michigan, that a water system be operated by said Township on a public utility basis in accordance with the provisions of Act 94 of the Public Acts of 1933 of the State of Michigan, as amended.

SECTION 3. DEFINITIONS

Unless the context of usage indicates otherwise, the meaning of specific terms in this Ordinance shall be as follows:

- 3.01 “Township” shall mean the Township of New Buffalo, Berrien County, Michigan.
- 3.02 “Board” or “Township Board” shall mean the Township Board of said Township.
- 3.03 “New Buffalo Township Water System”, “Water System” and “System” shall mean the complete water supply and distribution system of the Township, including all properties, facilities and funds thereof and any extensions or additions thereto.
- 3.04 “Water Department” shall mean collectively those officials, employees and agents of the Township invested by the Board with authority over the system.
- 3.05 “Main” and “Watermain” shall mean those pipes, other than supply pipes and service pipes, used for conveying or distributing water.
- 3.06 “Service Stub” shall mean a pipe tapped into a main and extending thence to and including the shut-off valve at the property line.
- 3.07 “Service Pipe” shall mean a pipe extending from the property line into premises supplied with water.

- 3.08 “Premises” shall mean the particular property connected to the system and includes appurtenant land and improvements.
- 3.09 “Person” shall mean any individual, firm, company, association, society, corporation, or group.
- 3.10 “Shall” is mandatory; “May” is permissive.

SECTION 4. SYSTEM OPERATION

4.01 Ownership

The Township shall be the owner of the system. The watermains of said system are under the exclusive control of the Township Board, and all persons other than agents and employees of the Board are forbidden to disturb, tap, change, obstruct access to, or interfere with them in any way.

Any persons, firms, or corporations installing mains at their own expense shall first submit complete plans and specifications, prepared by a Registered Professional Engineer, for such work, to the Township Board for approval, at which time the Township Board shall determine the conditions for such installation.

4.02 Operation and Maintenance

The operation, maintenance, alteration, repair and management of the system shall be under the supervision and control of the Township Board. The Township Board shall retain the exclusion right to establish, maintain and collect rates and charges for system operations. The Township Board may employ such person or persons in such capacity or capacities, as it deems advisable and may make such rules, orders and regulations, as it deems advisable and necessary to assure the efficient establishment, operation and maintenance of the system and the collection of rates and charges provided herein.

4.03 Fiscal Year

The system shall be operated on the basis of an operating year commencing April 1 of each year and ending March 31 of the following year.

4.04 Free Service Prohibited

No water service without charge shall be supplied by the system to any person, firm or corporation, or to any public agency or instrumentality except area fire departments, which shall obtain permission for such service from the Township Fire Commander or his duly authorized representative.

4.05 Meters

All water service shall be metered and all meters used for such purpose shall be and remain the property of the system. All meters shall be read at a reasonable time and

failure on the part of the user to provide access to an authorized Township employee for the required reading of said meter will result in either, at the discretion of the Township, the user being issued a water bill based on the highest metered charge of a similar type user in the Township during the billing period in which access for reading the meter is denied or prevented, or such user's water service being discontinued.

4.06 Access to Premises

Each user of this water system, whether a person, firm or corporation, either public or private agency or instrumentally, impliedly consents to permit entry upon the premises to a Township maintenance employee for the required maintenance of this system, provided, said maintenance employee has proper credentials from the Township. Failure on the part of any user of this water system to permit entry of the authorized Township maintenance employee upon the premises will authorize the Township to immediately terminate the use of this water system by the user.

4.07 Maintenance and Efficient Operation

The Township will maintain the system in good repair and working order and will operate the same efficiently, and will faithfully comply with all rules and regulations of the State Health Department and all statutes of the State of Michigan, applicable to the operation of a municipal water system.

4.08 Notice of Users

Where in this Ordinance there is any provision in respect to the giving of a notice unless otherwise specified, such notice shall be deemed to have been given when the same shall have been placed in the United States mails addressed to the New Buffalo Township Board in care of the Township Clerk or to the user of the service at the premise to which such service has been furnished.

4.09 Expansion and Enlargement of System

The Township Board may, from time to time, provide for such further public improvements by enlarging or extending the system, by combining the same with other water systems existing or to be established, and by further providing for the purchase, acquisition, construction, improvements, enlargements, extension and repair of such public improvements and by providing improvements in a manner provide by law; and by further providing for the collection of charges, fees, rentals or rates for the services, facilities and commodities furnished by such public improvements; and by providing for other matters in respect to such public improvements.

SECTION 5. SERVICE PIPES AND CONNECTIONS

5.01 Permits

Before any connection shall be made to any watermain, a permit application shall be made in writing to the Water Department by the owner of the premises to be served, or by an authorized agent, and a tapping permit secured. Such applications shall be made on forms provided by the Water Department. The owner, user, and/or applicant for a water tapping permit by such application implied agrees to abide by all rules and regulations of the Water Department in all respects.

After installation of a service pipe from the premises to the point of connection to the system, the Water Department shall again be notified before any pipes or connection are buried or covered up and the same shall be inspected to determine if the same is installed so as to protect the system from contamination and also to ascertain if the same is at a proper depth to insure the integrity of the line from freezing or bursting or possible contamination from any other cause, including the location of the same in proximity with any other possible contamination source. Service pipes shall not be covered until specifically approve by the Water Department.

5.02 Rules and Regulations

- 5.02.1 Only properly authorized employees of the Water Department shall install all service stubs from the main to the lot line. Before receiving a permit for a service connection, all connection fees shall be paid.
- 5.02.2 The water service stub from the main to the property line shall be maintained by the Water Department, but this clause shall not apply to old services installed by private parties. The service pipe from the property line to the premises shall be considered private plumbing and be maintained by the owner of the premises. Failure to keep service pipe in good repair will result in discontinuance of service.
- 5.02.3 Service pipe installation shall be the responsibility of a licensed plumber, or constitutional privilege as provided in Section 141 of the State Plumbing Code. All fixtures and attachments installed must conform to character, design and quality to the laws of the State of Michigan and the State Plumbing Code.
- 5.02.4 All water service pipes shall be of Type "K" copper, or polybutylene rated at 160 pounds per square inch, and quantity as approved by the Water Department. All fittings and connections underground shall be approved by the Water Department.
- 5.02.5 In all cases, the depth of service pipes shall not be less than 48 inches from the surface.
- 5.02.6 Water shall be taken and used only through water service pipes under the supervision of the Water Department and no connection through which water may pass from one property or premise to another shall be permitted even though the ownership of both properties or premises may be the same.
- 5.02.7 Excessive or unnecessary use or waste of water, whether caused by carelessness or by defective or leaky plumbing or fixtures, is strictly prohibited. For disregard of, or repeated violation of this requirement, the water may be turned off by the Water Department.
- 5.02.8 Where on ownership of property is occupied by two or more distinct families, or where a business building is occupied by two or more firms or persons, a single charge for water will be made against the owners of the property, for the whole:

- Provided, however, that a building or buildings under on ownership consistently of several premises may be served by more than on water service and meter upon approval of the Water Department. In multiple meter installations, no master meter will be allowed.
- 5.02.9 Where a building, originally built as a single building or premise an fitted with one service pipe, but capable of being divided by sale or otherwise, has been or may be hereafter subdivided and each subdivision shall be separately owned, the separate division or divisions so made must be connected to the main by separate service pipes within thirty (30) days after such division.
- 5.02.10 Where the authorized agent of the Township Board for any reason has turned off the water, only authorized personnel shall turn it on again.
- 5.02.11 All cross connections between any type of water supply and municipal water supply are strictly prohibited. In the event a cross connection is discovered, the water will be turned off until the cross connection is severed. No direct connection of any type to a sewer line shall be allowed.
- 5.02.12 No person, firm or corporation shall open or cause to be opened any fire hydrant.
- 5.02.13 The service stub and meter, installation charge for which provision is made in Section 6, shall include the cost of the water meter shall remain the property of the department and will at all times remain under its control. The department will furnish the meter couplings or flanges. The maintenance of the meter will be the obligation of the department. The maintenance of the meter will be the obligation of the department, provided, that where replacements, repairs or adjustments of the meter are made necessary by the act, neglect or carelessness of the owner or occupant of any premises, the expense to the department caused thereby may be charged against and collected from the owner or occupant of the premises. The Township may elect to install meters with outside readers and increase charges to cover the additional cost.
- 5.02.14 All meters 1” or smaller, shall be placed in an outside pit with remote readout located on the building. The Water Department shall provide the meter pit, spacer, meter and remote readout. Larger meters may be located inside a building upon approval of the Water Department. Gate valves shall be placed on both sides of the meter. By passes are required on all 1 ½” and larger water installations.
- 5.02.15 The owner of any premises where a meter is installed shall be held responsible for its care and protection from freezing or damage by hot water and from injury or interference by any person or persons.
- 5.02.16 If a meter fails to function or to register, the consumer shall be charged at the average quarterly consumption, as shown by the meter when in order.
- 5.02.17 All persons are forbidden to interfere with or move a water meter from any service connection without first receiving permission from the Water Department. No person shall remove or break any seal on meters or by pass valves

SECTION 6. SYSTEM RATES AND CHARGES

6.01 Authority

The Township Board shall fix rates for water and water service furnished customers of the system. Said rates and charges shall be sufficient to provide for the payment of all expenses of administration, operation, maintenance, repair and improvement of the system as may be necessary to keep the system in good working order. The schedule of rates and charges shall be revised or amended by ordinance or resolution from time to time by the Township Board.

6.02 Ready-to-Serve Charge

The owner of each premises or property which is connected to the system with a service connection ready to be used, shall pay the Water Department a ready-to-serve charge for each such service connection per meter size as follows:

Meter Size	Ready-to-Serve-Charge (monthly)
5/8"	\$10.50
3/4"	\$12.00
1"	\$24.20
1 1/2"	\$36.30
2"	\$48.40
3"	\$155.00
4"	\$223.00

6.03 Water Consumption Rates

- 6.03.1 In addition to the ready-to-serve charge, the actual water consumed will be charged at the rate of \$1.50 per 1,000 gallons.
- 6.03.2 All water used by or through any connection not paying a ready-to-serve charge will be charged at the rate of \$2.50 per 1,000 gallons (i.e. fire hydrants, temporary connection, etc...)
- 6.03.3 The Township Board reserves the right to set lower water rates for individual customers using more than 50,000 gallons per month.

6.04 Connection Charges

- 6.04.1 Each new user of the system shall pay a minimum connection charge for a service stub per meter size as follows:

Meter Size	Connection Charge
5/8"	\$600.00
3/4"	\$650.00
1"	\$700.00
1 1/2" & larger	Time & materials as estimated by Water Department

6.04.2 The foregoing rates apply during the normal construction season and where regular sixty-six (66) foot right-of-ways are involved. Where unusual construction problems exist and /or where excessive construction costs are incurred, as determined by the Water Department, or where construction occurs during the winter months, the connection charge shall be based upon the cost of construction on the time and material basis and upon the administration costs incurred as determined by the Water Department.

6.05 Reconnection Charges

Whenever it becomes necessary to shut off the water service, whether requested by the customer or required as a result of delinquency, a charge of \$10.00 for turning on such water supply will be made to the customer.

6.06 Meter Deposits

There is hereby established a meter deposit in the amount of \$75.00, which deposit shall be required to be made to the Water Department by any person requesting water service where the applicant for water service is not the title owner of record of the premises to be served. Such deposits will be held in trust for the depositors by the Water Department, which shall not be required to pay interest thereon. In the event that the depositor ceases to rent the premises, the deposit shall be returned after deducting any unpaid charges.

6.07 Fire Protection Charges

6.07.1 Each premise to or for which a separate un-metered fire line connection is provided for sprinkler or hydrant service shall pay a quarterly charge as follows:

- For 4" service connection \$100.00
- For 6" service connection \$150.00
- For 8" service connection \$200.00

6.08 Meter Testing Fee

The accuracy of any meter installed in any premises will be tested by the Water Department upon request of the customer, who shall pay in advance a fee listed below to cover the cost of the test. If, on such test, the meter shall be found to register over two percent more water than actually passes through it, another meter will be installed and the meter-testing fee will be refunded to the customer and the water bill will be adjusted for the three prior months.

Meter Size	Testing Fee
5/8" to 3/4"	\$20.00
1" to 1 1/2"	\$50.00
2"	\$100.00
3"	\$275.00

4"	\$400.00
6" or larger	At cost

SECTION 7. COLLECTION OF RATES AND CHARGES

- 7.01 Rates and charges shall be billed and collected bi-monthly by the City of New Buffalo Water Department.
- 7.02 Failure to receive a bill shall not excuse failure to pay the bill when due.
- 7.03 Bill shall be due and payable at such times as the Township Board shall determine, but not more than thirty (30) days after billing, and such due date shall be indicated on the face of each bill. If any rates, fees or charges are not paid on or before the due date, then a penalty of 10% shall be added thereto, and commencing sixty (60) days after said due date such rates, fees and charges including penalty shall draw interest at the rate of one percent (1%) per month. In the event that the rates, fees and charges for any such services furnished by the system may be discontinued. Service so discontinued shall not be restored until all sums then due and owing, including penalties and interest, shall be paid plus a shut-off and turn-on charge.
- 7.04 Rates, fees and charges for services furnished by the system to any premises shall be a lien thereon as of the due date thereof, and on September 1st of each year the Township Clerk shall certify any such rates, fees and charges which have been delinquent sixty (60) days or more, plus penalties and interest accrued thereon, to the County Board of Commissioners who shall enter the same upon the next tax roll against the premises to which such services shall have been rendered and such delinquent rates, fees and charges, with penalties and interest accrued thereon, shall be collected and said lien shall be enforced in the same manner as provided in respect to taxes assessed upon such roll.
- 7.05 Service stub connection charges shall be the obligation of the owner of the premises served. Consumption charges and reconnection charges shall be the obligation of both the owner and the occupant of the premises.

SECTION 8. GENERAL PROVISIONS

8.01 Disruption of Service

Should it become necessary to shut off the water from any section of the system because of accidents or for the purpose of making repairs or in case of construction, the Township Board will endeavor to give timely notice to the consumers affected hereby, and will, as far as practical, use its best efforts to prevent inconvenience and damage arising from any such causes, but failure to give such notice will not render the Township Board responsible or liable for damages that may result there from, or from any other cause.

8.02 Penalties and Enforcement

- 8.02.1 No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or

equipment which is a part of the municipal water works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

- 8.02.2 Any person found to be violating any provision of this ordinance except 8.02.1 shall be served by the Water Department 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.
- 8.02.3 Any person who shall continue any violation beyond the time limit provided for in 8.02.2, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the amount not exceeding \$500.00 for each violation. Each day in which any violation shall continue shall be deemed a separate offense.
- 8.02.4 Any person violating any of the provisions of this ordinance shall become liable to the Township for any expense, loss, or damage occasioned the system by reason of such violation.
- 8.02.5 The provisions of this ordinance shall be enforceable through the bringing of appropriate action for injunction, mandamus, superintending control, or otherwise, in any court having jurisdiction. Any violation of this ordinance is deemed to be a nuisance per se.

8.03 Validity

The invalidity 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.

8.04 Ordinance in Force

- 8.04.1 This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.
- 8.04.2 Passed and adopted by the Township of New Buffalo, County of Berrien, State of Michigan, on the tenth day of March, 1987 by the following vote:

Ayes 4 : namely Hamburger, Durlin, Conway, Heit
 Absent C. Krycka

Nays None

At the regular monthly meeting of the New Buffalo Township Board, held at the New Buffalo Township Hall on December 15, 1987 and called to order at 8:00 p.m. by Supervisor Ernich Hamburger, Resolution proposed by Trustee Heit and supported by Treasurer Conway to amend the Township Water System Ordinance as follows:

6.02 Ready-to-Serve Charges

The owner of each premises or property which is connected to the system with a service connection ready to be used, shall pay to the Water Department a ready-to-serve charge for each such service connection per meter size as follows:

Meter Size	Ready-to-Serve Charges
5/8"	\$12.00
3/4"	\$12.00
1"	\$24.20
1 1/2"	\$37.50
2"	\$60.00
3"	\$155.00
4"	\$223.00

6.03 Water Consumption Rates

- 6.03.1 In addition to the ready-to-serve charge, the actual water consumed will be charged at the rate of \$1.70 per 1,000 gallons.
- 6.03.2 All water used by or through any connection not paying a ready-to-serve charge will be charged at the rate of \$2.50 per 1,000 gallons (i.e. fire hydrants, temporary connection, etc.)
- 6.03.3 The Township Board reserves the right to set lower water rates for individual customers using more than 50,000 gallons.

6.04 Connection Charges

6.04.1 Each new user of the system shall pay a minimum connection charge for a service stub per meter size as follows:

Meter Size	Connection Charge
5/8"	\$800.00
3/4"	\$800.00
1"	\$900.00
1 1/2" & larger	\$300.00 plus time & material as estimated by Water Department

Roll Call Vote:

Yeas: Members Conway, Durlin, Heit, Krycka, Hamburger.

Nays: None

AMENDED WATER SYSTEM ORDINANCE

At a Special Meeting of the New Buffalo Township Board held at the New Buffalo Township Hall on January 3, 1994 and called to order at 7:40 p.m. by Supervisor Grim, the following amendment to the Township Water System Ordinance was approved. Grim moved, Rahm seconded to approve the Amended Water System Ordinance as follows:

6.02 Ready-to-Serve Charges

The owner of each premises or property served by the City of New Buffalo which is connected to the system with a service connection ready to be used, shall pay the Water Department a ready-to-serve charge for each such service connection per meter size as follows:

Meter Size	Ready-to-Serve Charge (monthly)
5/8"	\$14.50
3/4"	\$14.50
1"	\$30.70
1 1/2"	\$50.00
2"	\$80.00
3"	\$195.00
4"	\$285.00

6.03 Water Consumption Rates

- 6.03.1 In addition to the ready-to-serve charge, the actual water consumed will be charged at the rate of \$2.15 per 1000 gallons.
- 6.03.2 All water used by or through any connection not paying a ready-to-serve charge will be charged at the rate of \$3.16 per 1,000 gallons (i.e. fire hydrants, temporary connections, etc.)
- 6.03.3 The Township Board reserves the right to set lower water rates for individual customers using more than 50,000 gallons.

6.04 Connection Charges

6.04.1 Each new user of the system shall pay a minimum connection charge for a service stub per meter size as follows:

Meter Size	Connection Charge
5/8"	\$1,150.00
3/4"	\$1,150.00
1"	\$1,300.00
1 1/2" & larger	\$300.00 plus time and materials as estimated by Water Department

These changes to become effective immediately.

Roll Call Vote:

Yeas: Grim, Rahm, Prusa

Nays: None

Absent: Melendy, Kerhoulas

AMENDED WATER SYSTEM ORDINANCE

Ordinance Number: 870310

Amend the Water System Ordinance Section 7.01 by removing the City of New Buffalo Water Department and adding New Buffalo Township Water Department.

Amend the Water System Ordinance to remove the following verbiage from Section 7.04

7.04 Rates, fees and charges for services furnished by the system to any premises shall be a lien thereon as of the due date thereof, and on September 1st of each year the Township Clerk shall certify any such rates, fees and charges which have been delinquent sixty (60) days or more, plus penalties and interest accrued thereon, to the County Board of Commissioners who shall enter the same upon the next tax roll against the premises to which such services shall have been rendered and such delinquent rates, fees and charges, with penalties and interest accrued thereon, shall be collected and said lien shall be enforced in the same manner as provided

Amend the Water System Ordinance to add the following verbiage to Section 7.04

7.04 No free service shall be furnished by the system to the Township or any person, firm or corporation, public or private, or any public agency or instrumentality. Charges for services rendered by the system shall be calculated, billed and collected on a monthly basis and payable as of the "Due Date". If payment is not received by the Township by the "Due Date" shown on the water bill, such charge shall be deemed delinquent and a penalty of 10% shall be added thereto. If such delinquency shall continue for fifteen (15) days, then all services furnished by the system to such premises shall be shut off. When services shall have been shut off, whether for non-payment of or water charges or sewage disposal charges, or both, or any violation of this ordinance, a charge of \$50.00 shall be made for the final meter reading and turn off. Provided, however, when service shall have been shut off at the request of the owner, user, or his agent, a charge of \$10.00 shall be made for the final meter reading and turn off. Premises shut off at the request of the owner, user, or his agent, shall not be reconnected and water turned on unless all unpaid charges, for water service and sewage disposal service, including penalties and shut off charges, are paid in full, plus a turn on charge of \$10.00. Premises shut off for non-payment of water charges or sewage disposal charges, or both or any violation of this ordinance shall not be reconnected and water turned on unless all unpaid charges are paid in full, and in such instance there shall be no turn on charge.

At a regular meeting on November 19, 2007 the Township Board voted as follows:
Oselka resolved, Conway seconded to adopt the Amended Water System Ordinance, Ordinance #870310.

Agnes Conway	Yes
Rolland Oselka	Yes
Peter Rahm	Yes
Jack Rogers	Yes
Quincy White	Yes

This Ordinance will be amended as follows:

5.02 Rules and Regulations

5.02.1 Only properly authorized employees of the Water Department or its assignees shall install all service stubs from the main to the lot line. Before receiving a permit for a service connection, all fees shall be paid.

5.02.14 All meters shall be installed in a “meter pit” at the property line or as close thereto physically possible. The Water Department shall provide the meter pit, yoke, shut-off valves and meter with remote read. In those situations where there is no feasible way to install an exterior pit, and with the approval of the Water Department, the installation requires the use of an inside meter, there will be a shut-off located at the property line.

6.02 Ready to Serve Charge

The owner of each premises or property which is connected to the system with a service connection ready to use, shall pay the Water Department a ready-to-serve charge for each such service connection per meter size as follows:

Meter Size	Ready-to-Serve Charge (monthly)
5/8” Meter	11.50
3/4” Meter	16.10
1” Meter	28.75
1 1/2” Meter	57.50
2” Meter	92.00
3” Meter	172.50
4” Meter	310.00
6” Meter	690.00
8” Meter	1150.00
12” Meter	2472.50

6.03 Water Consumption Rates

6.03.1 In addition to the ready-to-serve, the actual water consumed will be charged at the rate of \$3.00 per 1000 gallons.

6.04 Connection Charges

6.04.1 Each new user of the system shall pay the minimum connection fee “tap-in” fee, for a service stub per meter size.

(5/8), (3/4) or (1”) meter – 1” Tap

1st Year (2007) \$3,200.00

2 nd Year (2008)	\$3,450.00
3 rd Year (2009)	\$3,750.00

1 ½” or Larger Minimum 1” tap fee plus all additional time and material

6.05 Reconnection Fees

Whenever it becomes necessary to shut off the water due to delinquent payments, a charge of \$50.00 for turning on such water supply will be made to the customer.

6.06 Meter Deposits

Eliminate from current ordinance.

7.01 Residential rates and charges shall be billed and collected bi-monthly, commercial and industrial will be billed and collected monthly by the Township.

At a regular meeting on December 17, 2007 the Township Board voted as follows:
Oselka resolved, Rogers seconded to adopt the Amended Water System Ordinance, Ordinance #870310.

Agnes Conway	Yes
Rolland Oselka	Yes
Peter Rahm	Yes
Jack Rogers	Yes
Quincy White	Yes

At a special meeting on March 25, 2008, the Township Board voted as follows:

Rogers moved, Oselka seconded to amend the Water System Ordinance to clarify the language regarding tap-in fees as follows:

Section 6.04 Connection Charges

6.04.1 Each new user of the system shall pay the minimum connection fee “tap-in” fee, for a service stub per meter size.

Single Family Residential

(5/8), (3/4), or (1”) meter – 1” Tap

1 st Year (2007)	\$3,200.00
2 nd Year (2008)	\$3,450.00
3 rd Year (2009)	\$3,750.00

Any residential taps larger than 1” or meters 1 ½” or larger will be minimum 1” tap fees, plus all additional time and material. All other taps based on Residential Equivalent Unit Factors.

Agnes Conway	Yes
Rolland Oselka	Yes
Peter Rahm	Yes
Jack Rogers	Yes
Quincy White	Absent

At a special meeting on March 25, 2008, the Township Board voted as follows:
to adopt the following amendments to the Water System Ordinance.

Agnes Conway	Yes
Rolland Oselka	Yes
Peter Rahm	Yes
Jack Rogers	Yes
Quincy White	Absent

Section 6.04 Connection Charges

6.04.2 Each new user of the system shall pay the minimum connection fee
“tap-in” fee, for a service stub per meter size.

Single Family Residential

(5/8), (3/4), or (1”) meter – 1” Tap

1 st Year (2007)	\$3,200.00
2 nd Year (2008)	\$3,450.00
3 rd Year (2009)	\$3,750.00

***Any residential taps larger than 1” or meters 1 ½” or larger will
be minimum 1” tap fees, plus all additional time and material.
All other taps based on Residential Equivalent Unit Factors.***

**Amended Water System Ordinance
For New Buffalo Township Residents
Served by the Township Water Department**

This Ordinance will be amended as follows:

Add to Section 7.04:

Rates, fees, and charges for services furnished by the system to any premises shall be a lien thereon as of the due date thereof, and on October 1st or each year the water/sewer department billing clerk shall certify any such rate, fees, and charges which have been delinquent ninety (90) days or more, plus penalties and interest accrued thereon, to Berrien County who shall enter the same upon the next tax roll against the premises to which such services shall have been rendered and such delinquent rates, fees, and charges, with penalties and interest accrued thereon, shall be collected and said lien shall be enforced in the same manner as provided in respect to taxes assessed upon such roll.

Removed Section 6.06 – referring to meter deposits which will no longer apply due to the following change to Section 7.01

Amend Section 7.01:

Residential rates and charges shall be billed and collected bi-monthly, commercial and industrial will be billed and collected monthly by the Township. ***Bills will be billed and sent to the property owner of record only.***

This Ordinance Amendment was adopted by the New Buffalo Township Board at a regular meeting on April 21, 2008. The following roll call vote was taken.

Agnes Conway	Yes
Rolland Oselka	Yes
Peter Rahm	Yes
Jack Rogers	Yes
Quincy White	Yes

This Ordinance will be amended as follows:

Revise Section 6.03.3 to be:

6.03.3 The Township Board reserves the right to *negotiate rates for commercial/industrial customers using high volumes of water in excess of 50,000 gallons per day.*

This Ordinance Amendment was adopted by the New Buffalo Township Board at a special meeting on April 28, 2009. The following roll call vote was taken.

Rosann Dudiak	Yes
Paul Oselka	Yes
Peter Rahm	Yes
Jack Rogers	Yes

Add the following to Section 5.02 Rules and Regulations:

5:02.18 When the owner of any premises where a water pit has been installed, causes such pit to become inaccessible for meter reading or maintenance due to landscaping, changing of gradient, or any other action, the owner will be responsible for all cost incurred by the Township making the meter pit accessible again.

This Ordinance Amendment was adopted by the New Buffalo Township Board at a regular meeting on July 20, 2009. The following roll call vote was taken.

Rosann Dudiak	Yes
Bob Heit	Yes
Paul Oselka	Yes
Peter Rahm	Yes
Jack Rogers	Yes