

Rules and Regulations  
of the  
Huron Township Water System

**Ordinance No. 02-01**  
**The Township of Huron Ordains:**

1. These Rules and Regulations are being promulgated pursuant to Public Act 233 of 1955 as amended by Public Act 154 of 1981 and Michigan Compiled Law, Section 124.281, et seq.

2. These Rules and Regulations shall become effective upon approval by motion of the Huron Township Board, Huron County, Michigan (hereinafter referred to as the Board). A notice of the motion together with these Rules and Regulations adopted by said motion shall be published in a newspaper of general circulation within the territory encompassed by the Huron Township Water System and within the territory furnished service by the System by contract pursuant to Section 10 of Act 233 of 1955, as amended.

These Rules and Regulations shall become effective 30 days after the publication of the notice and the Rules and Regulations.

3. The water distribution system, is defined by maps prepared by Wolverine Engineers and Surveyors of Mason Michigan dated 1-31-2001 and herein shall be known as the System.

**4. Management of the System**

The construction, alteration, repair and management of the System, including the acquisition and construction thereof, shall be under the supervision and control of the Huron Township Board, or their designated agents.

**5. Fiscal Year**

The System shall be operated on the basis of an operating or fiscal year commencing April 1st and ending March 31st.

**6. Application of Plumbing Code**

These Rules and Regulations do not supersede the State Plumbing Code, but are supplemental to such Code.

**7. Commencement and Termination of Service**

Only the System authorized employees and/or agents shall be permitted to turn on/off the water service curb stop. Requests for turn on/off service must be made five (5) days prior to the need for service, except in the case of emergency. Charges for this service will be determined by the Huron Township Board.

**8. Tap-in Charges**

Total tap-in charges for those users who requested service in writing (signed users agreement) and forwarded a \$250.00 (\$1600.00 for Port Austin Township) deposit with the System will be \$4550.00. as of 6/1/2001. Any Monies paid by the user prior to the final settlement date will be subtracted from the \$4550.00.

The System shall:

- (a). provide a 3/4 inch curb stop at the owner's property line.
- (b). a meter pit and 3/4 inch meter
- (c). All/any additional costs (service lines, meter installation, home system hook-ups, other associated costs with service hook-up) shall be the responsibility of the individual property owner.

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After 6/1/2001 for those users who do not qualify for service as set forth above, the total cost for initial hook-up will be as determined by the Huron Township Board, and shall include, but not be limited to actual costs for pipes, supplies, excavation, back fill, pavement cuts and replacement, underground boring, and landscape restoration and shall be paid in cash.

All users requiring greater than 3/4 inch water service shall request such service from the Board in writing, and shall be responsible for all additional costs over the normal 3/4 service costs, incurred by such additional service.

Before any connection is made to the System the owner or their authorized agent must obtain approval from the Huron Township Board by means of an application for a tap-in on a form provided by the Board.

Multiple users, as set forth herein, shall pay the applicable tap-in fee set forth above, based upon the number of meters requested by the user as required per these Rules and Regulations.

The tap-in charges set forth above shall include two (2) inspections by the System. In the event that more than two inspections are required, the user shall pay an additional fee as determined by the Board for each re-inspection.

**9. Tap-in Requirements**

The service line from the main to the curb stop and from the curb stop to the meter and from the meter to the owner's water system shall be Type K copper with flanged joint not less than 3/4 inch in diameter, and approved by the System. Service cocks shall be A. W. W. A. approved. The stop box shall be set so that the cover is even with the grade and must be set on a brick or concrete foundation to prevent settlement

Separate stop and waste cocks shall be placed on the service pipe just inside the building wall, or just inside the meter pit, whichever installation is applicable on the influent and effluent side of the water meter. Such stops shall be equal in quality to the service cock.

The service pipe from the curb stop to the building on private or public property shall be installed and properly maintained by the owner. The owner shall keep the stop box free from, dirt, stones, or other substances that will prevent access to the service cock.

Under no circumstances shall iron water service be used. All new and replacement connections shall be Type K copper, except with written approval of the Board.

All holes or trenches dug in the public streets or alleys shall be backfilled in accordance with applicable regulations relative to removal of pavements, curbing, surfacing, excavation and the replacements thereof.

The repairing and maintenance of streets, alleys, sidewalks and other paved surfaces where holes have been dug shall, unless otherwise approved by the Board, shall be done by the Board, however at the expense of the owner, who shall pay the cost thereof.

All excavation necessary to expose lines from the water main up to and including the curb stop, as

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well as all backfilling, shall be performed by the Board or its designated agents, contractors and/or employees. Such execution shall meet MIOSHA Standards on trenching and/or excavation. The cost of all such excavation, trenching and/or backfilling shall be billed to the owners and shall be added to the tap-in fee.

All service line excavation work (from curb stop to user's service) is the responsibility of the user and the user is liable for all costs, and restoration expenses.

The Board shall have final authority in any question of location of a user service line.

**10. Determination of Rates**

Rates and charges for the use of the water supply system of the Huron Township Water System are applicable to all users of the system.

Initially Water Rates shall consist of a base rate of \$19.75 per month for each R.E.U.(Residential Equivalent Unit) together with an actual water usage cost of \$1.50 per thousand (1000) gallons. Said actual water cost shall commence on the first gallon used and shall be billed on a quarterly basis.

**11. Commencement of Water Charges**

Water charges shall begin at the time an occupancy use permit is issued or 90 days after the tap-in permit is issued, whichever first occurs.

**12. Determination of Sufficiency of Rates**

The rates hereby fixed are estimated to be sufficient to provide for the payment of expenses of administration, operation, and maintenance of the System as are necessary to preserve the same in good repair and working order and to provide for such other expenditures and funds for such System as may be required by the bond authorizing ordinance as the Huron Township Board may adopt from time to time. The rates herein established may be revised by resolution of the Board from time to time as may be necessary to produce the necessary amounts.

**13. Payment**

The charges for water and services under Section 21 of Act 94 of the Public Acts of 1933, as amended (M.C.L.A. Sec. 141.121), are hereby made a lien on all premises served thereby. Whenever any such charge against any parcel of property is delinquent for six (6) months, the Board officials in charge of the collection thereof shall certify to the proper tax assessing officer or agency the fact of such delinquency, whereupon such charge shall be entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as provided for the collection of taxes assessed upon the roll and the enforcement of the lien of the taxes.

In addition to other remedies provided, Huron Township may require a cash deposit or may shut off and discontinue the supply of water to any premises for the non-payment of water rates when due and/or take legal action.

Each Fire Department using any fire hydrant which is a part of the system shall submit a written

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estimate of the volume of water used, within thirty (30) days after the use of such water. The Fire Department shall than be billed for the usage at twice the then current rate and the Fire Department shall forward payment for such usage within 30 days of the date of the billing.

**14. Free Service Prohibited**

No free service shall be furnished by Huron Township to any person, public or private, or to any public agency or instrumentality.

**15. Amendments**

The Board may from time to time amend the rates herein established by resolution. However, no rate amendment shall become effective until it is published in full in a newspaper of general circulation in the territory encompassed by the System. Only the Resolution amending the rates herein must be published and the unaffected provisions of these Rules and Regulations need not be published when a resolution reflecting a rate change is published.

**16. Meters**

All users that are connected to the system shall have water meters connected and installed, at the time of the tap-in, except fire hydrants shall not be required to have meters installed. Meters shall remain the property of the system.

The Board may discontinue water service to any premises or person who or which refuses to permit the connection and installation of water meters or fails to pay the connection charge thereof.

Only authorized representatives and/or employees of the Board may install, remove, and/or alter the location of the meter and/or associated reading equipment, and they are hereby authorized to enter onto private property to do so.

Only authorized representatives and/or employees of the Board may break any seals installed by the System on the meters.

No person may, in any way, interfere with the operation of the system and/or the operation of any meter and/or associated reading equipment.

All water meters and/or associated reading equipment shall remain the property of the Board and shall remain under control of the Board. The owners of the premises where the meters and/or associated reading equipment is located shall be responsible for all costs related to the replacement and/or repair of a damaged or missing meter.

The Board, shall determine, in its sole discretion the size of the meter and/or associated reading equipment required at each installation.

All meters and/or associated reading equipment shall be placed in a manner so as to measure the total volume of water supply at each service location.

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The owner and/or owners of the premises where the meter and/or associated reading equipment is located shall take all necessary precautions to protect the meter and/or the associated reading equipment from all damage, including freezing.

The owners and/or owners of the premises where the meter and/or associated reading equipment is located shall be responsible for notification of the Board in case of damage to the meter and/or any associated reading equipment.

The owner and/or owners of any premises already connected to the system may request that an additional meter be installed on the premises. All costs associated shall be prepaid by the owner and/or owners to the Board, prior to the installation.

**17. Meter Pits**

Where a meter shall be set in a meter pit, such pit shall be built at the expense of the owner and/or owners of the premises serviced by the meter, as directed by the Board. When the meter pit falls into disrepair, such condition must be reported to the Board at once. The pit shall be repaired to the satisfaction of the Board at the owner and/or owners expense. All meter pits shall be constructed and maintained so as to prevent entry of ground water into the meter pit.

**18. Meter Failure**

If any meter shall fail to register properly, the Board shall estimate the consumption on the basis of the average consumption for the same calendar quarter of the previous three (3) years and bill accordingly. In the event the meter has not been in service for three (3) previous years, the Board shall base the estimated consumption on the average consumption for the period the meter has been in service and bill accordingly.

**19. Disconnect**

A user may request a service disconnect by a written application. Upon disconnection, the meter shall be removed and the tap-in may be removed or capped by the Board. Once service has been disconnected, the owner must pay a new tap-in fee upon reconnection.

**20. Nonpayment: Remedies**

The Board may discontinue water service from the premises against which lien provided for in Paragraph **13** has accrued whenever any person fails to pay the rates, assessments, charges or rentals herein referred to, within 30 days from the due date, or may institute a suit for the collection of the same in any court of jurisdiction, but no attempt to collect such water rates, assessments, charges or rentals by any process shall in any way invalidate or waive the lien upon the premises.

**21. Deposit after Discontinuance**

Discontinuance of service shall mean that that the water supply shall be shut off, the meter may be

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removed, however, the tap-in will remain in place. When an application for water service is made by a lessee of a land owner who has failed to pay for previous water service and such service was discontinued by the Board, a deposit of not less than the base water rate, together with the total cost of the water used at the premises for the last four quarters, shall be required to ensure future water charges.

Said cash deposit shall be held by the Board until the user has promptly paid their water charges for four consecutive quarters, at which time the deposit shall be returned to the user. Interest on a deposit shall not be paid or credited to a depositor. During the time that service is discontinued, the monthly base charge shall continue to accrue. When service has been disconnected, the deposit, less any unpaid water charges, shall be returned to the depositor. Any charges not paid by the deposit shall become a lien against the premises.

**22. Charge for Delinquent Payments**

There is hereby established a charge of one and one half percent per month on all delinquent charges outstanding more than ten days, excluding penalties, for water users.

**23. Construction of Extensions**

Extensions of the System shall be constructed when the same become necessary or proper, in the judgment of the Board.

**24. Connection of privately constructed water mains to the System**

Before any water mains constructed by private, as distinguished from public funding, hereinafter referred to as the "private water main", shall be permitted to connect to the System, the owner of the said system, hereinafter referred to as the developer, shall do and provide the Board with the following:

(a). Provide the Board with the developer's plans and specifications for construction, an estimate of the cost of construction, and a performance bond, and deposit with the Board the sum of two percent (2%) of the cost of the construction to cover the cost of hiring a registered professional engineer to review the plans and specifications, which monies shall be placed by the Board in an escrow account in the name of said developer.

(b). Obtain written approval of the Board of the plans and specifications.

(c). Secure all necessary permits for construction from the applicable federal, state and/or local units of government.

(d). Upon commencement of construction of the private water main, the developer shall deposit with the Board in an escrow account, a sum of five (5%) percent of the cost of the construction to cover the anticipated cost of inspection of construction and payment of connection charges.

(e). Upon completion of construction of the private water main and connection to the System, the performance bond, upon recommendation of the Board's engineer and approval of the Board shall be released and any monies remaining in the developer's escrow account shall be returned to the developer. Any additional expenses incurred by the Board in assuring the Board that the private water main

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is properly operating shall be deducted there from or charged directly to the developer, at the option of the Board.

(f). Upon the completion of construction, as set forth above, the developer shall offer ownership of the completed “private water main” to the Board. The Board may accept ownership of the completed “private water main” by resolution of the Board, at which time the “private water main” shall become the property of the Board and subject to the control of the Board. If, after acceptance by the Board, additional users are added to the water main which was developed as set forth above, neither the Board nor the additional users shall be required to repay to the developer any portion of the developers original construction and/or engineering costs.

**25. Adoption of State Rules**

The Board hereby adopts and incorporates herein by reference, as if fully set forth at length herein, the water supply cross connection rules of the Michigan Department of Public Health, being Act 399 of the Public Acts of 1976, as amended (Sections 325.11401 to 325.11407, et seq. of the Michigan Administrative Code).

**26. Inspections**

The Board may cause inspections to be made of all properties served by the public water supply where cross connection with the public water supply is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Board or as set forth by the Michigan Department of Public Health.

**27. Right of Entry**

A designated representative of the Board shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the Board for the purpose of inspecting the piping system thereof. On request, the owner, lessee or occupant of any property so served shall furnish to the inspector any pertinent information regarding the piping system on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of an improper connection and the water service to such premises may be discontinued.

**28. Discontinuance of Water Service**

The Board hereby authorizes and directs the Licensed Operator of the System to discontinue water service, after reasonable notice, to any property wherein any connection in violation of these Rules and Regulations exists ,and take such other precautionary measures deemed necessary to eliminate any danger of contamination to the System. Water service to such property shall not be restored until the improper connection has been eliminated in compliance with these Rules and Regulations, and all associated costs have been paid by the property owner.

**29. Protection of potable water supply**

The potable water supply made available on properties by the System shall be protected from possible contamination as specified by these Rules and Regulations and by the State Plumbing Code. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable

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System must be labeled in a conspicuous manner as: WATER UNSAFE FOR DRINKING.

**30. Sale of water**

No user shall not be permitted to re-sell water provided by the System without express, written permission obtained from the Board.

**31. Service Interruption**

The Board reserves the right to shut off the water in any area serviced by the System, because of any accident, or for the purpose of making repairs or extensions, The Board will endeavor to give timely notice to the users affected thereby, and will, so far as is practical, use its best efforts to prevent inconvenience and damage arising from such cause. The failure to give such notice shall not render the Board responsible or liable in damages for any inconvenience, injury, or loss which may result therefrom.

**32. Use Restrictions**

The Board shall have the power to regulate the hours of sprinkling and to regulate and prohibit water use and to discontinue service when necessary to enforce this order . In the event it is necessary to prohibit or regulate use due to a water shortage, the Board shall first satisfy the needs of users for domestic purposes before supplying water for livestock purposes, and shall satisfy the needs of the domestic purposes and livestock purposes before supplying water for lawn sprinkling and/or irrigation.

**33. Liability**

The Board shall not be responsible to any user for any damage caused through the Board's inability or refusal to furnish water.

**34. Off Premises Use**

No person shall take or use water from premises other than his own or of which he or she has possession, and no person shall sell or give away water from his or her own premises or those under his or her control for any purpose without permission of the Board. No connection through which water may pass from one property to another shall be constructed, though the ownership of both properties may be vested in the same person.

An owner may, however, extend water service from a single meter installation to additional non-residential and non-commercial buildings located on the premises served by the meter installation or located on premises contiguous to the premises served by the meter installation and owned by the same owner.

**35. Multiple Users**

Duplexes, townhouses, apartments, condominiums, and/or premises with multiple residential structures may have separate meters and/or services installed for each living unit upon payment of such costs and fees as determined by the Board.

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Each living unit in a duplex, townhouse, apartment, or condominium, and each separate residential structure unit located on a single premises, shall be responsible for payment of the base rate, together with the charges for the water used, regardless of whether each such user is separately metered.

Campgrounds, hotels and motels shall be responsible for payment of one base rate charge for each separate building having water service, together with the charges for water used. Each room and/or campsite shall not constitute a separate user for the purposes of these Rules and Regulations.

**36. Tampering**

No unauthorized person, firm or corporation may open, close or interfere with the operation of the System and/or fire hydrants. Fire hydrants may be opened and used only by the Board's representatives and/or the constituent's municipalities' fire departments or by such persons as may be authorized by the Board. No person, firm or corporation shall, in any manner, obstruct or prevent free access to any fire hydrant by placing or storing, temporarily or otherwise, any object or materials of any kind, within 15 feet of the same.

**37. Penalty**

Any person or persons who violate these Rules and Regulations shall be subject to a civil fine not to exceed \$500.00. A civil fine assessed under this provision shall be distributed pursuant to Section 8379 of the Revised Judicature Act of 1961, Act No. 236 of the Public Acts of 1961, being Section 600.8379 of the Michigan Compiled Laws:

(a). A person who knowingly submits or prepares for submission to the Board a false statement, representation or certification is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both. Each violation constitutes a separate and distinct offense.

(b).. A person who knowingly tampers with or alters a monitoring device or process, causing inaccurate readings or results, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both. Each violation constitutes a separate and distinct offense.. (MCL 124.284c.)

**38. Finance**

The Bond Ordinance No. 01-01 Adopted May 17th, 2001 shall be incorporated herein by reference.

**39. Wetlands**

Using the Fish and National Wildlife Wetlands map as its guide, the Board adopts the following as its policy concerning water service to areas designated as Wetlands.

Water will not be provided to any potential user unless and until the expectant user shows to the Board written approval from the Government Agency, that has jurisdiction over the Wetlands in question.

**10. Severability.**

The Provisions of this ordinance are hereby declared to be severable, and if any clause, sentence,

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paragraph, section or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion thereof.

EFFECTIVE DATE: This ordinance shall become effective 30 days after publication in a newspaper of general circulation within the Township of Huron.

First Reading: April 16th, 2001

Effective Date: July 11th 2001

\_\_\_\_\_  
Evan Steinbis, Supervisor

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Richard L. Crisman, Clerk

I hereby certify that the foregoing is a true and complete copy of Ordinance No. 02-01 of the Rules and Regulations adopted, by motion, by the Township Board of the Township of Huron, County of Huron, Michigan at a regular meeting held on Monday April 16th, 2001 and that said meeting was conducted and public notice was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. of Michigan.

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Township Clerk