

Amended
ORDINANCE NO. 141

Charter Township of Portage, Houghton County, Michigan

AN ORDINANCE TO AMEND ALL ORDINANCES IN THE CHARTER TOWNSHIP AND ANY RESOLUTION ESTABLISHING AND FIXING RATES AND CHARGES FOR WATER AND SEWER SERVICES, FURTHER PROVIDING FOR THE ENFORCEMENT THEREOF, AND OTHER MATTERS RELATING TO WATER AND SEWER CHARGES

THE CHARTER TOWNSHIP OF PORTAGE ORDAINS:

I.

The most recent rates and charges, known as the “Rate Schedule” as of 09/26/2018 for water and sewer services within the “billing communities” known as the enterprise funds found in the Charter Portage Township are as follows:

- (1) (a) Portage Water and Sewer Billing Community - The rates for the following area’s residences found in Charter Portage Township; Dodgeville, Green Acres Road, Hurontown, and Location Number 2, shall be a \$20.75 base fee for water, and \$4.00 per 1,000 gallons used. The rates for sewer shall be a \$32.50 base fee and \$7.00 per 1,000 gallons.
 - (b) Naumkeg Shores Water and Sewer Billing Community – Naumkeg Shores residences are located along the Portage Canal side of Canal Road. The water rates shall include a base fee of \$16.00, and \$6.00 per 1,000 gallons used. The rates for sewer shall be \$10.00 per 1,000 gallons. There is no base fee for sewer.
 - (c) Dakota Heights Water and Sewer Billing Community – The Dakota Heights residents are in the Dakota Heights area plus the first residences found along the uphill side of Canal Road. The water rates shall include a \$16.00 base fee and \$6.00 per 1,000 gallons used. The rates for sewer shall include a \$30.50 base fee and \$10.00 per 1000 gallons.
 - (d) Woodland Road Billing Community – The Woodland residences are found on Woodland Road. The water rates shall include a base fee of \$12.00 and \$7.00 per 1000 gallons used. There is no base fee for sewer.
- (2) The following additional charges shall also be applicable:
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|--------------------------------|--------------------------------------|
| Supply Costs: | \$150.00 |
| Additional Meter fee: | \$175.00 |
| Private Home Water Hookup Fee: | \$1,200.00 |
| Private Home Sewer Hookup Fee: | \$1,200.00 |
| Commercial Water Hookup Fee: | \$1,500.00 + Any Additional Supplies |
| Commercial Sewer Hookup Fee: | \$1,500.00 + Any Additional Supplies |
| Turn-on Fee: | \$ 50.00 |
| Turn-off Fee: | \$ 50.00 |
| Garden meter: | \$ 85.00 |

- (3) (a) Water and sewer bills shall be billed monthly by Charter Township of Portage, and shall be payable by the customer without penalty on or before the due date listed on the bill (which shall be by Portage Townships close of the business day on the last business day of each month). Payments received by Charter Township after the due date shall bear an administrative charge of 5% per billing cycle for water and for sewer for unpaid past due balances.
- (b) Charter Township of Portage may terminate water and/or sewer service to the property of any customer for unpaid water and/or sewer service charges if the bill is delinquent. A bill is delinquent if it has not been paid in full by the due date described above. The Township can shut-off any customer 10 days after the due date stated on the bill.
- (c) To reinstate service after a customer is shut off, that party must pay the total past due balance plus both the turn off and the turn on fees listed in the rate schedule.
- (d) Charter Township of Portage, at its discretion, can choose to accept partial payments, set up payment schedule for delinquent customers on any past due water and/or sewer bills.
- (e) With extreme snowfalls sometimes occurring over the course of winter weather thus severely limiting water meter access – It may require the “averaging” of one or more water bills before the following months “true” reading is made.

II.

Initial Hookup Policy: If available, Portage Township is responsible for supplying both sewer and water hookups to potential new customers in the Township. The Twp. will bring these two lines to the nearest point on the property owner’-s boundary adjacent to the road right-a-way. If the Township has to employ a private contractor to bring the initial water line to the property line the owner shall be responsible for any additional costs incurred above the \$1,200.00 water hookup fee. If the Township has to employ a private contractor to bring the initial sewer line to the property line the owner shall be responsible for any additional costs above the \$1,200.00 sewer hookup fee. The water line will have a curb stop/valve installed at a point on the property line. The home/business owner is then responsible for the installation of the properly sized piping for both the sewer and water lines to the new structure. The water meter/meters will be installed by the Township. Initial sewer/ water hook ups will not be charged a “turn on fee”.

III.

This Ordinance shall not in any way limit the right of the Charter Township to enforce a lien on the customer’s property in accordance with MCL 141.101, et seq., as amended, or MCL 123.161, et seq., as amended, or to institute suit for the collection of any delinquent water and/or sewer bill.

IV.

All other rates, charges and fees, including those provided for under Ordinance Numbers 107, 113, 116, 120, 121, 129, 130, 137, 138, and 139 for the services by the Charter Township of Portage, water and sewer system and the manner of collection shall remain in full force.

V.

All Ordinances, Resolutions and Orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflicts, hereby repealed. Each Section of this Ordinance is hereby declared to be independent and the finding or holding of any section or subdivision hereof to be invalid or void shall not be deemed to affect the validity of any other section or subdivision of this Ordinance. Henceforth the establishment of the sewer and water rates, base fees, additional material costs/charges, the turn on and off fees, garden meter costs, both residential and commercial hook-up fees known as the "Rate Schedule" shall be established by a Board of Trustees resolution and subsequent affirmative majority vote action becoming effective the following billing cycle.

VI.

Keep Run Policy: When, in the opinion of the Supervisor, extended cold weather increases the risk of water main and or service line freezing, the Charter Township of Portage can request that all or a selected few water/sewer customers run their water to lesson this freezing risk. The Township can recommend that a homeowner who resides at the end of a dead-end service to allow water to run to eliminate the possibility of a frozen main. When so authorized or recommend, each monthly bill generated under the keep run policy will be based on the average usage of the preceding three months. Once the Township removes the "keep run policy" in the spring the first months bill following that keep run removal will be an actual reading. That month's actual meter reading will be taken at the beginning of that month establishing a new start reading and again at the end of the month to get a true water consumptive use reading for that month. The following month by month, meter reading will occur at the end of each month.

VII.

Frozen Pipe Policy: All water/sewer service line freeze-ups located on private property downstream from the curb stop valve shall be thawed at the property owner's expense. Whenever a service has been thawed, the property owner should notify the Township in writing and request that the water service can be kept running.

VIII.

Sump Pump Discharge in Sewer: Because of the high cost to treat sewage discharge water, according to Ordinance Number 116 enacted on January 1, 1979 it is illegal to discharge sump pump or any surface water discharge in to the Township's municipal sewer system. If a sump discharge is found to be out letting in to the Township's municipal sewer system, the home or business owner can be found guilty of a misdemeanor and is subject to a \$100.00 fine for each day that the sump discharges in to the municipal waste water system. If the Township has a valid suspicion that a

home owner is out letting sump pump water in to a municipal sewer, the Twp. has the right to turn water off until that suspicion is either confirmed or negated by a on-site inspection.

IX.

This Ordinance shall be in full force and effect from and after its posting, passage and publication, as required by law.

This Ordinance was introduced and read at a Regular Monthly Meeting of the Charter Township Board of Trustees of the Charter Township of Portage, of Houghton County, Michigan, on September 26, 2108. John Ollila moved and Bill Bingham seconded amending the ordinance and it was passed by the totals evidenced below.

The Ordinance will be brought again before the Charter Township Board of Trustees at a meeting scheduled for October 08, 2018.

Final Reading and Acceptance will occur on October 8, 2018

Ayes:

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Nays:

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Absent:

None

CHARTER TOWNSHIP OF PORTAGE

Tressa Alvarado, Clerk
Charter Township of Portage

Attest:

Bruce Petersen, Supervisor
Charter Township of Portage