

**WATER SUPPLY SYSTEM
EUCLID/STONE ISLAND ROAD
TOWNSHIP OF FRANKENLUST
BAY COUNTY, MICHIGAN
ord. no. 75 eff. May 11, 2007**

An Ordinance establishing the Township of Frankenlust Water Supply System No. A-Euclid/Stone Island Road, including rates, charges, rules and regulations for the use and service of said water supply system.

The Township of Frankenlust, Bay County, Michigan Ordains:

Sec. 1. DISTRICT DEFINED.

There shall be and there hereby is established the Frankenlust Township Water Supply System No. A-Euclid/Stone Island Road which is within the service area of the Board of County Road Commissioners of the County of Bay, a body corporate, with offices at 2600 East Beaver Road, Kawkawlin, Michigan, 48631 for the benefit of the Bay County Department of Water and Sewer (hereafter "County"). Residents of Frankenlust Township whose premises are within the hereafter defined district may connect to the water supply system in order to be supplied potable water. Unless otherwise set forth, the provisions within this ordinance are not and shall not be applicable to any area of Frankenlust Township serviced by any other water system and shall only be applicable to the following described area:

Land located in Frankenlust Township, Bay County, Michigan in portions of Sections 5, 6, 7 and 8, Town 13 North, Range 5 East and described as abutting S. Euclid Road, commencing at the north bank line of Dutch Creek and going South to the terminus of S. Euclid Road.

-and-

Land located in Frankenlust Township, Bay County, Michigan in a portion of Section 5, Town 13 North, Range 5 East and described as abutting Stone Island Road, commencing at S. Euclid Road and going East to the terminus of the road at the west bank of the Saginaw River.

Sec. 2. WATER RATE-QUARTERLY BILLINGS.

For each connection to the water supply system which is 1 ½" or less and

within the district defined in Section 1 above, the amount to be charged for water service for each quarterly (3 months) period shall be established by the County and shall be consistent with the rate and charges in Water Supply System No. 1. All other connections shall be deemed to be special connections and a special rate shall be established by the County and the Township Board prior to connection to the system.

Sec. 3. CONNECTION CHARGE.

All connection charges shall be paid directly to the Township of Frankenlust prior to connection to the water supply system in an amount as set forth herein:

- A. For all permits received after the effective date of this ordinance, except those customers defined in paragraph B below, there shall be charged a connection fee of \$7,000.00.
- B. For those customers who have deposited the sum of \$1,000.00 with the Township as of the effective date of this Ordinance, at the time of connection to the system, the customer shall (A) pay Frankenlust Township an additional FOUR THOUSAND (\$4,000.00) dollars, when notified by the Township to connect to the completed water line in order to secure their connection permit or (B) pay Frankenlust Township an additional ONE THOUSAND FIVE HUNDRED (\$1,500.00) dollars to secure their permit and defer the sum of TWO THOUSAND FIVE HUNDRED (\$2,500.00) dollars over 3 years with interest at seven (7%) percent per annum on the outstanding balance, the same to be collected in the same manner as ad valorem property taxes are collected.
- C. All customers will pay to the Bay County Department of Water and Sewer its normal and customary tap fee in addition to the charges described above.

Sec. 4. RULES AND REGULATIONS.

All service connections and water consumption shall be in compliance with the ordinances, rules and regulations established by the Bay County Department of Water and Sewer in relationship to the water supply service being provided in the district described in Section 1 above.

Sec. 5. BILLING.

If any charges are not paid on or before the due date, a penalty of ten

percent (10%) shall be added thereto. In the event the charges for any billing period shall not be paid within twenty (20) days after the due date thereof, all water and sewer services to such premises may be discontinued. Services so discontinued shall not be restored until all sums then due and owing, including penalties, plus a shut-off charge of \$25.00 and a turn-on charge of \$25.00 respectively, shall have been paid.

The foregoing charges, including penalties, payable for sewage disposal and treatment and/or water service to any premises shall be a lien on such premises, and on August 1 of each year the person or agency charged with the collection of such charges shall certify to the Township Assessor any charges which have been delinquent for six (6) months or more, who shall enter the same upon the next tax roll against such premises, and said charges and penalties shall be collected and said lien enforced in the same manner as provided in respect to township taxes assessed upon such rolls.

Sec. 6. CONFLICT OF LAWS.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Sec. 7. ADOPTION.

The above Ordinance was adopted at a regular meeting of the Township Board on the 7th day of May, 2007.

Sec. 8. EFFECTIVE DATE AND PUBLICATION.

This Ordinance shall be effective the day following the date of publication and shall be published once in the Bay City Democrat, a newspaper of general circulation in the Township on or before the 30th day following adoption.

Adopted: May 7, 2007

Published: May 10, 2007

Effective: May 11, 2007