

DEXTER TOWNSHIP ORDINANCE NUMBER 23-A1

AMENDMENT TO DEXTER TOWNSHIP SEWER USE ORDINANCE FOR THE SEWER DISTRICT OF THE PORTAGE-BASE LAKES WATER AND SEWER AUTHORITY.

ADOPTED: APRIL 21, 1992

EFFECTIVE: MAY 21, 1992

AN ORDINANCE ENACTED PURSUANT TO THE AUTHORITY OF ACT 246 OF THE PUBLIC ACTS OF 1945, AS AMENDED, ACT 191 OF THE PUBLIC ACTS OF 1939, AS AMENDED, ACT 233 OF THE PUBLIC ACTS OF 1955, AS AMENDED, AND ACT 368 OF THE PUBLIC ACTS OF 1978, AS AMENDED, TO REGULATE PRIVATE AND PUBLIC SEWERS, SEWER CONNECTIONS, INDUSTRIAL WASTE PRETREATMENT FACILITIES AND DISCHARGE OF INDUSTRIAL WASTE INTO THE PORTAGE-BASE LAKES WATER AND SEWER AUTHORITY PUBLICLY-OPERATED TREATMENT WORKS AND TO PROVIDE FOR POLLUTANT LIMITATIONS, DATA COLLECTION, MONITORING AND SAMPLING AND TO PRESERVE, PROMOTE AND PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PERSONS AND PROPERTY WITHIN DEXTER TOWNSHIP; TO PROVIDE FOR THE ENFORCEMENT HEREOF; AND TO PROVIDE PENALTIES AND REMEDIES FOR THE VIOLATION HEREOF.

THE TOWNSHIP OF DEXTER ORDAINS:

SECTION I

1. **AMENDMENT.**

The DEXTER TOWNSHIP SEWER USE ORDINANCE FOR THE PORTAGE-BASE LAKES AREA WATER AND SEWER AUTHORITY SEWER USE DISTRICT, Dexter Township Ordinance No. 23, is hereby amended by the addition, modification, and substitution of the provisions of the Amendment:

SECTION II

1. **Section 3.22, EQUIVALENT RESIDENT UNIT,** of the Dexter Township Sewer Use Ordinance, is deleted and following provision substituted in its place and stead:

Section 3.22, EQUIVALENT RESIDENT UNIT. Shall mean 6,000 gallons or part thereof of water discharged to the public sewer in any one month.

SECTION III

1. **Section 3.54, RESIDENTIAL USER,** of the Dexter Township Sewer Use Ordinance, is deleted and following provision substituted in its place and stead:

Section 3.54.1, RESIDENTIAL USER. Shall mean a user of the treatment works whose premises is used only as a single housekeeping unit having integral living, sleeping, bathroom, and kitchen facilities, and shall be presumed to consume one equivalent residential unit per month. Upon

DEXTER TOWNSHIP ORDINANCE NUMBER 23-A1

application to the Authority Board, the Board may determine a premises primarily used as above also shall be presumed to consume not more than one equivalent residential unit per month. A user not qualifying above is a non-residential user.

Section 3.54.2 In order to presume consumption will not exceed one equivalent residential unit, the Authority Board shall conduct a hearing and determine the following criteria are met:

- A. The use beyond the primary single housekeeping use generates little or no additional sewage treatment demand.
- B. Not more than six persons normally occupy the premises on any given day.
- C. A current copy of any permit or license issued by any governmental agency permitting any activity on the premises of a residential user is on file with the Authority.

SECTION IV

1. Section 7.3 of article VII is added:

Section 7.3 A BUILDING SEWER shall connect only the dwelling of a residential user to the public sewer, unless the Township certifies to the Sewer Authority that a BUILDING SEWER connected to an accessory building will not cause the number of equivalent residential units assigned to the premises to be exceeded.

SECTION V

1. Section 17.1 through Section 17.3.7 and 17.6 of Article 17, RATES AND CHARGES FOR AUTHORITY SERVICES, of the Dexter Township Sewer Use Ordinance, are deleted and following provisions substituted in their place and stead:

Section 17.0 RATES AND CHARGES FOR AUTHORITY SERVICES.

17.1- The rates for total sewer service charges are to be established from time to time by resolution of the Authority, which may be enacted apart from the published ordinances as necessary to ensure sufficiency of revenues in meeting operation, maintenance and replacement costs, as well as debt service. Such charges shall be made against each premises which has a sewer connection to the sewer system, or which may otherwise discharge sewage or industrial waste, either directly or indirectly, into such system or any part thereof. Rates for sewage services shall be reviewed annually and revised as necessary to meet system expenses and to insure that all user classes pay their proportionate share of operation, maintenance and equipment replacement cost. An annual audit shall be prepared.

17.2.1- The rates and charges for service furnished by such system shall be levied on the basis of the schedule of equivalent

DEXTER TOWNSHIP ORDINANCE NUMBER 23-A1

residential units adopted by the Authority, except as provided in this section for nonresidential users or in cases where the character of the sewage from a manufacturing or industrial plant, building or premises is such that additional burden is placed upon the system, the additional cost of treatment created thereby shall be an additional charge over the regular rates hereinafter set forth; or the Authority may if it deems it advisable, compel such manufacturing or industrial plant, building or premises, to treat such sewage in such manner as shall be specified by the Authority before discharging such sewage into the sewage disposal system.

- 17.2.2- The Authority shall institute charges on nonresidential units based on metered water discharge to the public sewer. Meters shall be installed to Authority requirements and remain accessible for inspection and reading by an Authority representative. All cost of installing meters on the water supply of a nonresidential user and costs of meter reading and billing shall be borne by the nonresidential user. Monthly charges for metered water consumption shall be based on equivalent residential units and parts thereof, with a minimum charge equal to one equivalent residential unit.
- 17.2.3- The highest average monthly metered water consumption between May 1 and October 31 or November 1 and April 30 shall be the basis for determining the maximum required connection charges for a non-residential user.
- 17.2.4- A non-residential user whose average monthly metered water consumption exceeds the assigned equivalent residential user connection charge(s) shall pay the necessary additional equivalent residential unit connection charges within sixty days. If system capacity is not available, the user must immediately reduce their use or also connect to an approved private sewage disposal system.
- 17.3- The rates and fees shall include the following and be uniform for all users within the Sewer Service District except as otherwise provided herein:
- 17.3.1- Each user, upon application for a permit to connect to the POTW, shall pay a sewer service application fee as established by the Authority.
- 17.3.2- Operation, Maintenance, and Replacement Cost

DEXTER TOWNSHIP ORDINANCE NUMBER 23-A1

17.3.3- A capital charge which shall be remitted by the Authority to Washtenaw County as necessary to reduce the debt obligation of the Township.

17.3.4- A Connection Charge, levied on a user who proposes to connect to the public sewer, which for 1991 shall be \$8,000 per equivalent residential unit, escalated at 4 percent per year for each year thereafter. A user that has been specially assessed for capital cost of the POTW, including transport and treatment facilities, shall be deemed to have paid the connection charge. Connection charges collected by the Authority shall be remitted to Washtenaw County for purposes of reducing the debt obligation of the Township.

[Second unnumbered paragraph of Section 17.3.4 is deleted.]

[Sections 17.3.5 through 17.5 are unchanged.]

17.6- There shall be a late payment charge assessed against any payment which has not been made within thirty (30) days of the due date on the bill. The late payment charge shall be ten percent (10%) of the delinquent charges. Delinquent accounts shall be billed once every thirty (30) days until the delinquent account is certified to the Township Assessing Officer for inclusion in the tax roll. The late payment charge shall be assessed on each thirty (30) day period that an account is delinquent. After the account is certified to the Assessing Officer, the account, including late payment charges, shall bear interest in the same manner and at the same rate as provided by law for taxes. These late payment charges are incurred by the Authority in the collection of delinquent accounts.

SECTION VI

1. The remaining Sections of Article 17 and the balance of Dexter Township Sewer Use Ordinance are hereby ratified and reaffirmed.

SECTION VII

1. **EFFECTIVE DATE.** This Amendment to Dexter Township Sewer Use Ordinance shall become effective thirty (30) days after its adoption by the Township Board.

Township Clerk