

**WORTH TOWNSHIP
SANILAC COUNTY, MICHIGAN**

AMENDMENT TO WATER AND SEWER SERVICE ORDINANCE NO. 19-4-17-1

Ordinance No. 24-03-20-01

At a meeting of the Township Board of Worth Township, Sanilac County, Michigan, held at the Worth Township Hall on March 20, 2024, at 6:30 p.m., Gilbert moved to finally adopt the following Ordinance, which motion was seconded by Woodruff :

An Ordinance to amend certain portions of Ordinance No. 19-4-17-1, also known as the Worth Township Water and Sewer Service Ordinance, which has been codified as Chapter 271 of the Worth Township Code of Ordinances to, among other things, add provisions requiring an approved independent contractor to conduct all water and sewer installation and repairs for the residents of the Township, to add regulations related to the service lead pipe size, to add language making the meters and connectors provisions applicable to all living units, and to repeal all conflicting Ordinances or parts of Ordinances.

THE TOWNSHIP OF WORTH, SANILAC COUNTY, MICHIGAN ORDAINS:

SECTION 1: AMENDMENT TO WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-1. Section 271-1 is amended to add the following definitions for “approved independent contractor,” “dwelling unit,” and “Worth Township Water Infrastructure.” Section 271-1 shall now read as follows:

§ 271-1. Title

- A. This Ordinance shall be known and hereafter cited as the Worth Township Water and Sewer Service Ordinance.
- B. Definitions. For the purposes of this Ordinance, the following terms, phrases, words, and their derivation shall have the meaning given herein:

APPROVED INDEPENDENT CONTRACTOR — A contractor that has been approved by the Township to perform installation, repairs, or other work on the Worth Township Water Infrastructure and the sewer system, based on the Township’s determination that the contractor possesses the necessary qualifications, certifications, experience, and skill to perform the necessary installations and repairs in full compliance with the requirements of this Ordinance.

DWELLING UNIT — One or more rooms providing complete living facilities, including a sewer and/or water connection, and including room or rooms for living, sleeping and dining.

WORTH TOWNSHIP WATER INFRASTRUCTURE — Any component of the Worth Township water service system, including but not limited to, service leads, connections, water mains, taps, curb boxes, meters, etc.

SECTION 2: AMENDMENT TO WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-5. Section 271-5 is amended to, among other things, require an approved independent contractor to perform all work on the Worth Township Water Infrastructure, revise provisions pertaining to meters and connections, and mandate a service lead pipe diameter that is determined by the length of the service lead. Section 271-5 shall now read as follows:

§ 271-5. Water Service

- A. ***Installation and Work Performed by Approved Independent Contractor.*** All work to be performed under this Ordinance, including but not limited to, connections, installations, repairs, under road connections, meter installations, disconnections, and any other work contemplated herein shall be performed only by an approved independent contractor at the expense of the benefitted property owner as allowed by law, unless this Ordinance specifies otherwise. After installation, the new service lines or other applicable components of the Worth Township Water Infrastructure shall be subject to an open trench inspection by the DPW. Unless otherwise provided herein, the cost of installation, repairs, or any other costs associated with the work performed on the Worth Township Water Infrastructure shall be the responsibility of the property owner benefitted from such work, and any cost incurred by the Township shall be charged against the property to which the service connection runs.
- B. ***Water Service Connections.*** Where, in the determination of the Township Board, public water service is reasonably available to a particular building in which water service is required, no new private wells shall be drilled to provide such water supply and such building shall be connected to the public water system, either at the time of construction, when the existing private well, if any, requires re-drilling, or at any time, in the determination of the Township Board, such connection is necessary for the protection of public health.
- C. ***Permits.*** Whenever it shall be necessary to make connections or disconnections from water mains to property lines, the same be made only with permission from the Worth Township Department of Public Works (“Worth Township DPW” or “DPW”). Applications to tap mains and for service shall be filed with the Township and accompanied with a deposit sufficient to defray the cost of installing such service. Every new property or dwelling unit connecting to the system shall pay a capital service and connection charge based upon meter size as determined by the Township. The charges shall be paid at the time the building permit is taken out.
- D. ***Under Road Connections.*** In the determination of the Township Board, when public water service is reasonably available, and therefore required, a service connection shall be installed under the abutting right-of-way to each lot or building site fronting on the right-of-way. The connection shall not be less than required by regulation adopted by the Township Board.

- E. ***Stops***. All connections hereafter made with water mains shall be provided with a corporation stop at the water main, and a curb stop protected by an iron service box leading from the stop to the surface of the earth, and covered with an iron cover at the lot line. The corporation stops and curb stops are to be opened and closed only by representatives of Worth Township or its designee. The purpose of a corporation stop is to allow for the installation of a new water service line without interrupting water main pressure. A curb stop is typically the first (and only) valve installed downstream from the corporation stop, and is designed to control the flow of water to the building. Stops shall be the type, specifications and material designated and approved by the Township Board or its designee.
- F. ***Meters***. Every connection to the water main shall be equipped with a public water meter, and so located that all water entering the premises shall pass through such meter and be measured as to volume consumed for periodic computation of water and/or sewer charges. If there are multiple dwelling units on a particular parcel, each dwelling unit must be equipped with a meter that is connected to the Worth Township Water Infrastructure. The meter size, type, and location shall be determined by the Township DPW for accessibility and proper maintenance and operation of the meter. The meter shall be in an accessible position, and free from danger of frost and protected by proper check and relief valves. The DPW shall have access at all times to meters for the purpose of repairing or checking them for accuracy, and the cost of any repair, necessitated by the negligence of anyone other than the Township, shall be charged to the property owner. Meters shall be installed on the first floor, or basement, or other location designated by the DPW. No meters shall be installed in a crawl space unless approved by the DPW. The Worth Township Board or the DPW may designate the type, design, and specification for all meters and for new or replaced meters, including the type of meter, meter pit, and location of installation at or near the roadway or other location as it determines proper.
- G. ***Inspection of Meters***. All meters will be installed at the property owners' expense. All water meters shall be under the control of the DPW. The DPW may inspect meters from time to time. The DPW may charge the property owner an inspection fee, which shall be due at the time of inspection of the seal and installation.
- H. ***Service Leads***. The minimum diameter of pipe that is required for a service lead line shall be determined by the length of the service lead line—measured from the service tap to the meter—as set forth in subsection (a) through (d) below. However, all service leads from mains to the water meter shall be at least 1 inch, type K copper pipe or 1 inch, 200 psi plastic pipe, provided further that all service lead lines be installed at a minimum depth of 4.5 feet. The requirements for a service lead line are as follows:
- i. No taps smaller than 1 inch will be permitted. The diameter of pipe used for service lead lines shall comply with the following specifications:
 - a) A service lead length of 0 to 150 feet shall have a minimum of 1 inch pipe diameter.
 - b) A service lead length of 150 to 400 feet shall have a minimum of 1 ¼ inch pipe diameter.

- c) A service lead length of 400 to 1,000 feet shall have a minimum of 1 ½ inch pipe diameter.
 - d) A service lead length of 1,000 feet or more shall have a minimum of 2-inch pipe diameter.
 - ii. A ball valve for shutting off water will be required to be placed on the line immediately before and after the meter connection, the valves and meter must at all times be accessible and in no case covered.
 - iii. No additional shut offs or connections are allowed between the curb stop and the shut-off valve before the meter.
 - iv. Emergency leads may be approved by the DPW for emergency purposes only.
 - v. Each water meter requires its own service lead and curb stop at the water main.
- I. **Engineer Requirements.** Service leads and meters to multiple residential, commercial, business, industrial and other properties are subject to an engineering review fee and approval, and must comply with Township engineer requirements, or designee.
- J. **Use of Fire Hydrants.** No fire hydrant shall be used for any purpose other than fire protection without the prior approval of the Township Board or the DPW.
- K. **Failure to Comply.** Except as otherwise provided in this Ordinance, failure to comply with Township meter regulations and the service lead requirements constitutes a grade four civil infraction, Chapter 30, Municipal Civil Infractions. In addition, property owners will be responsible for the costs of remedial action.
- L. **Tampering with Water Infrastructure is a Misdemeanor.** Tampering, alteration, bypassing, unhooking a meter to avoid water or sewer charges, or destruction of any system component, meter, or otherwise shall constitute a misdemeanor, punishable by a fine of up to \$500 and/or imprisonment in the County jail for up to 90 days.
- M. **Rates.** The charge for water furnished shall be according to the amount actually used as registered by the meter, and at such rates as the Township may establish, provided, however, that the Township may establish a minimum rate, to be charged in those cases where service is rendered for only a portion of each year, to defray the additional costs arising in connection with such service. Worth Township reserves the right to estimate water usage and bill water customers based upon past usage or other calculations to reflect the estimated actual amount of water used. Estimated billing may be used in the event of meter failure, unmetered water usage, or any other problem causing meter reading failure. In addition to other remedies, the Township may look back and amend water fees and charges based upon fee estimation. This Section may be supplemented by the Township Board through its rate resolution and rules and regulations for water and sewer services.
- N. **Special Rates.** For miscellaneous services for which a special rate shall be established, such rates shall be fixed by resolution of the Township Board.

- O. **Responsibility of Owner.** To the extent allowed by law, all charges for water furnished shall be the responsibility of the owner of record of the real property to which the water is furnished.
- P. **Meter Reading.** All meters shall be read in accordance with the schedule as deemed by the Worth Township Board, and charges for water consumed as shown by such readings shall be due and payable on or before the due date. If for any reason a meter is not read until after the time herein specified, the due date for payment of the charge may be extended by the Township Board so as to give reasonable time for the payment of the same. In the event of failure or tampering of water meters, the Township may estimate cost of the service and bill the owner/service customer accordingly.
- Q. **Water Charges.** The DPW shall have charge of the reading of all meters and shall keep a record of all meter readings. Charges for water service to a property shall begin on the date the property is physically connected to the Worth Township Water Infrastructure even though the property may not yet be occupied. The Utilities Billing Clerk, or his/her designee, shall keep accounts of the charges for water furnished to all dwelling units on the premises, upon the meter rate, and shall render bills for the same. All water charges shall be collected by the Township.
- R. **Delinquency.** All water charges shall be deemed delinquent if not paid prior to the due date and penalty as set by the Township Board. The water supply to any premises, or individual dwelling unit on the premises, where the charges have been delinquent for a period of one (1) month or more, may be shut off and withheld until payment of such delinquent charges is made to the Township.
- S. **Discontinuation.** The supply of water may be withheld from the premises, or individual dwelling unit on the premises, if the Ordinances, rules, and regulations of the Township have been violated; if any person shall, after the water has been shut off from any premises or dwelling unit, cause or suffer such premises or dwelling unit to be supplied with water—without the Township's permission—the unauthorized connection may be disconnected from the distribution pipes of the Township. If a property owner chooses to disconnect from the Worth Township Water Infrastructure, the owner must receive approval of the disconnection from the Township Board, or its designee. All disconnections must be performed in accordance with Section 271-5(A) of this Ordinance and in compliance with the directions from the DPW. The disconnected or discontinued premises or dwelling unit may still be responsible for monthly charges. Property owners are not allowed to leave the municipal system by utilizing an alternative water source.
- T. **Turn Offs and Turn Ons.** No person other than an authorized employee of the Township shall turn on or off any water service to any public or private premises at the curb box connection of said premises to the water main. A fee as set by the Township Board shall accompany all requests to have water turned off and the draining and resealing of the meter. A fee as set by the Township Board shall accompany all requests to have water turned on. All charges and requests for services shall be made with the Township Billing Clerk, or designee.

- U. **Rules and Regulations.** The Township shall establish from time to time all necessary rules and regulations in respect to the use and operation of the Worth Township Water Infrastructure in accordance with the provisions of this Ordinance. The Worth Township Water Infrastructure and all its components are subject to inspection by the Township or the DPW from time to time. All materials and workmanship used to install, repair, and maintain the Worth Township Water Infrastructure shall conform with the rules and most recent regulations of the State Plumbing Board, the Michigan Plumbing Code and rules or regulations and amendments thereto, except where said rules and regulations are inconsistent with the provisions of the Ordinance.

- V. **Appeal Rights.** Under this subsection, or any section of this Ordinance, the customer/property owner has a right to use an administrative process to appeal a shut off or other adverse decision to first the Township billing clerk or designee and then to the Township Board by requesting an appeal in writing to the Township Clerk at the Township's principal office.

- W. **Appurtenance and Affixture.** As a condition to using the system, any meter or other appurtenance or affixture attached to the water or sewer system shall be owned by Worth Township, regardless if the property owner pays for the affixture. No owner may remove any affixture to the system without written permission from the Township Board. Any affixture to the system shall become part of the system and owned by Worth Township.

SECTION 3: AMENDMENT WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-7(C). Section 271-7(C) is amended to replace references to the Michigan Department of Environmental Quality with the Michigan Department of Environment, Great Lakes, and Energy. The remainder of Section 271-7 remains unchanged unless expressly amended herein.

- C. **Inspections.** It shall be the duty of the Township to cause inspections to be made of all properties served by the public water supply where cross connections 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 Township and as approved by the Michigan Department of Environment, Great Lakes, and Energy ("EGLE").

SECTION 4: AMENDMENT TO WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-7(F). Section 271-7(F) is amended to replace references to the Michigan Department of Environmental Quality with the Michigan Department of Environment, Great Lakes, and Energy, and to provide for an approved independent contractor to perform backflow testing. The remainder of Section 271-7 remains unchanged unless expressly amended herein.

- F. **Backflow Prevention Devices.** All testable backflow prevention assemblies shall be tested at the time of installation or relocation and after any repair. Subsequent testing of devices shall be conducted at a time interval specified by the Township Board, or its designee, and in accordance with EGLE requirements. Backflow testing shall be performed in accordance

with Section 271-5(A) and certified backflow test results shall be provided to the Township. All hose bibs hooked to the municipal water are required to have backflow prevention devices built in or connected to the output of the hose bib.

SECTION 5: WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-8(C). Section 271-8(C) is amended to require all sewer connections to be installed and repaired by an approved independent contractor. The remainder of Section 271-8 remains unchanged unless expressly amended herein.

C. ***Installation and Approval.*** All work to be performed on the sewer system under this Ordinance, including but not limited to, installation, connections, repairs, disconnections, any other work contemplated herein shall be performed only by an approved independent contractor. The cost of installation, repairs, or any other costs associated with work performed on the sewer system shall be the responsibility of the property owner benefitted from such work, and any cost incurred by the Township shall be charged against the property to which the service connection runs, unless this Ordinance specifies otherwise. All new sewer system connections or repairs must be approved by Worth Township DPW.

SECTION 6: WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-8(D). Section 271-8(D) is amended to require all service leads to the sewer system to be installed and repaired by an approved independent contractor. The remainder of Section 271-8 remains unchanged unless expressly amended herein.

D. ***Service Leads.*** Any service line from private premises to the public sewer lead shall be installed in accordance with Section 271-8(C). The connection to the public sewer system shall be made with glued SDR 26 fittings or a gasketed SDR 26 slip joint utilizing SDR 26 pipe and shall include a clean out at the property line with a service plug. Fernco or flexible connections to the public sewer system are prohibited. This service plug shall be provided by the Township as part of the connection charge. Installation of any service leads from private premises to the public sewer system shall be upon application to the Township. Installation may be subject to an open trench inspection by the DPW.

SECTION 7: WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-8(E). Section 271-8(E) is amended to require a clean out to be installed by an approved independent contractor and the cost thereof to be the responsibility of the property owner. The remainder of Section 271-8 remains unchanged unless expressly amended herein.

E. ***Standards.*** All premises connected to the sewer system shall meet the standards adopted by the Worth Township Board, including but not limited to State and County Codes and requirements, including but not limited to, minimum size of the building drain/sewer, including required cleanouts and grease traps. A clean out must be installed in accordance with Section 271-8(C) at the location that the property owner's sewer lead connects to the municipal sewer system at finished grade with a metal lid for purposes of the DPW to inspect and clean the municipal system if required.

SECTION 8: WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-8(F). Section 271-8(F) is amended to require all “grease traps” to be installed and repaired by an approved independent contractor. The remainder of Section 271-8 remains unchanged unless expressly amended herein.

F. ***Grease Traps.*** For purposes of this section, "grease trap" means a device designed to intercept, separate and retain fats, oils, and grease from liquid waste and permit the liquid waste to discharge into the sewer system. Grease traps shall be installed at the sole expense of the discharger if:

- 1) The DPW determines a grease trap is necessary for the proper handling of liquid wastes containing grease in excessive amounts; or
- 2) The Township, State, County requirements or other adopted Codes require such installation; or
- 3) Any regulatory agency having jurisdiction determines that existing installations are inadequate to protect the sewer system.

All grease traps shall be installed and maintained in accordance with Section 271-8(C) and shall be located so as to be readily accessible for cleaning and inspection. The DPW shall have the authority to inspect any portion of the sewer system and may seek administrative warrants to the fullest extent of the law.

SECTION 9: WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-8(H). Section 271-8(H) is amended to replace references to the Michigan Department of Environmental Quality with the Michigan Department of Environment, Great Lakes, and Energy. The remainder of Section 271-8 remains unchanged unless expressly amended herein

H. ***Unreasonable Burden of Sewage.*** In the event any sewage discharged into the system imposes an unreasonable or additional burden upon the sewer system, or the public primary or secondary treatment plants treating such sewage, above that imposed by the average sewage entering such treatment plants, the Township shall have the option to impose an additional charge for such treatment against such customer to defray the additional cost of such treatment and any damage caused thereby. Further, the Township may require the customer to pretreat such sewage before the same enters the public system. The Township may terminate sewer service to any premises that fails to comply with the foregoing. All sewage discharged into the sewer collection system shall comply with the requirements of the Township's EGLE permit.

SECTION 10: WORTH TOWNSHIP CODE OF ORDINANCES, CHAPTER 271, SECTION 271-9(C). Section 271-9(C) is amended to provide for connection charges for all “dwelling units.” The remainder of Section 271-9 remains unchanged unless expressly amended herein.

C. ***Connection Charge.*** The amount of the connection charge shall be at the discretion of

the Township Board but shall approximate the amount a connector would have paid on a benefit assessment basis, had the property been included in a water or sewer special assessment district created for the purpose of financing the project, plus costs of inflation or other rationally related basis for the charge. The term "connection charge," as used in this Ordinance, pertains to a charge for the privilege of connecting premises to a water or sewer main and does not pertain to the construction cost specially assessed. A connection charge may be imposed by the Township Board without the Township entering into a contract with an applicant as provided in this section. A connection charge shall apply to any water or sewer connection for each dwelling unit on the premises.

SECTION 11: SEVERABILITY: The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance, which shall continue in full force and effect.

SECTION 12: REPEAL: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 13: EFFECTIVE DATE: This Ordinance shall take effect immediately upon publication and posting after final adoption by the Worth Township Board.

YEAS: Badgerow, Woodruff, Marshall, Millsap & Gilbert
NAYS: none
ABSENT/ABSTAIN: none

ORDINANCE DECLARED ADOPTED.

Walt F. Badgerow
Walt Badgerow, Worth Township Supervisor

CERTIFICATE

STATE OF MICHIGAN)
) ss
COUNTY OF SANILAC)

I, Jennifer Marshall, the undersigned and the duly qualified and acting Clerk for Worth Township, Sanilac County, Michigan, HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Worth Township Board at a meeting held on the 20 day of March, 2024, and further certify that the Ordinance was finally adopted at said meeting.



Jennifer Marshall, Worth Township Clerk

