

CHARTER TOWNSHIP OF ALLENDALE
ORDINANCE NO. 2020-7
WATER SYSTEM ORDINANCE AMENDMENT

An Ordinance to amend certain provisions of the Water System Ordinance, Ordinance No. 2019-12, adopted by the Charter Township of Allendale, to restate the provision concerning water system connection fees payment terms, to add a provision with respect to lawn and garden irrigation and to provide for penalties for the violation of this Ordinance, administrative liability and the repeal of conflicting ordinances.

**THE CHARTER TOWNSHIP OF ALLENDALE, COUNTY OF OTTAWA, STATE OF MICHIGAN,
ORDAINS:**

Section 1. Amendment of Ordinance No. 2019-12. The following provisions of the Water System Ordinance adopted by Allendale Charter Township, Ordinance No. 2019-12, shall be amended as follows:

(a) Amendment of Section 2: Section 2 will be amended to add a new subsection (f) entitled "Public Water."

(f) **Public Water.** Water that is supplied to the general public through a system that is constructed to the Township's Standard Construction requirements and governed by the local authority.

(b) Amendment of Section 4: Section 4(b) shall be amended to state in its entirety as follows:

(b) **Availability of Potable Water.** The Township Board finds that the supply of potable water available from private wells within the Township is insufficient, in most instances, due to poor water quality and/or lack of sufficient volume, to assure that

businesses, industries, farms, schools, governmental agencies, charitable organizations, residents, and other water users will have sufficient potable water available for consumption and also sufficient water for business and industrial purposes, fire prevention and control, and other uses. Therefore, when Public Water is available, Therefore, when Public Water is available, all premises shall connect.

(c) Amendment of Section 6:

Section 6. Water Connection Fee Payment Terms. At the time application is made to connect to the System, an election shall be made by the applicant as to whether to pay the public lateral and/or connection charge components of the water system connection fee in full, or in five (5) equal installments if the amount to be financed is \$5,000.00 dollars or less. If the amount to be is financed greater is than \$5,000.00 dollars, the term will be for ten (10) equal installments. The water meter fee, any inspection charges, and the plumbing inspection fee shall always be paid in full at the time of application.

If installment payments are selected ten percent (10%) will be required at time of application and the first installment shall be billed on the first April 1 following the date on which application to connect to the System is made. All subsequent installments shall be billed on each April 1 thereafter. Each installment shall be paid in full no later than the following April 30.

Accrued interest on the unpaid balance shall be due and payable on each principal installment date. Interest shall commence on the first day of the month following the month in which the application to connect is received by the

Township. The interest rate shall be Prime plus one percent (1%), however, the interest rate per annum for connections to all portions of the System constructed with the proceeds of the sale of bonds (the "Bonds") sold by or on behalf of the Township shall be the interest rate on the Bonds, rounded to the nearest one hundredth (100th) of one percent (1%), plus one percent (1%). If connection is made to a portion of the System not constructed with the proceeds of the sale of Bonds which is then later financed with the sale of Bonds, then the interest rate per annum shall be the interest rate on the Bonds, rounded to the nearest one hundredth (100th) of one percent (1%), plus one percent (1%).

If an election is made to pay the public lateral, and/or connection charge component of the connection fees in installments, the charge may be paid in full at any time with interest accrued through the month in which payment is made. Partial prepayments are also permitted but only (i) if a full principal installment(s) is prepaid and (ii) if all interest accrued on the installment(s) being prepaid through the month in which the prepayment is made is paid at the same time. All prepayments shall be applied to the installments payable in inverse order of their due date.

If any installment or any interest due is not paid in a timely manner, then a penalty shall be charged at the rate of one percent (1%) for each month or fraction of a month that any amount remains delinquent.

If the public lateral, and/or connection charge component of the connection fee is paid in installments, then the unpaid balance, together with any unpaid interest and penalties, shall be a lien on the Premises served.

On or before October 1 of each year the Township Treasurer shall deliver to the Township Supervisor a certified statement of all public lateral, and/or connection charges and all interest and penalties thereon then six (6) months or more past due and unpaid. The Township Supervisor shall then place such charges on the next tax roll and the same shall be collected and such lien shall be enforced in the same manner as is provided for general Township taxes.

At the time of each application to connect to the System, if any portion of the public lateral, and/or connection charge will be paid in installments, as a condition precedent to connection and the privilege to pay the public lateral, and/or connection charges in installments, the owner of the Premises served shall sign an agreement with the Township in recordable form stating the amount owed, the interest rate and other payment terms, and that the unpaid charges and all interest and penalties thereon shall constitute a lien on the Premises served.

If any installment of a public lateral, and/or connection charge or any interest or penalties thereon is not paid in a timely manner, the Township shall have the right, in addition to any other remedies available to it, to turn off the Township water service to the Premises and water service shall not be restored until all amounts then due and payable are paid in full.

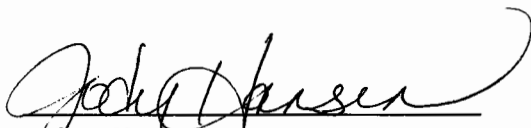
(d) A new Section 21, Irrigation, shall be added as follows:

Section 21. Irrigation. For a property connected to the public water system, a shallow well for the sole purpose of irrigation may be allowed and shall be permitted through the Ottawa County Health Department. A copy of the permit shall be submitted to the Public Utility Department. Pursuant to Ordinance 2004-6 Allendale Charter Township Cross Connection Ordinance, inspections and related fees may apply to said well.


Sections 21 through 32 shall be renumbered to reflect the addition of the new Section 21 set forth above.

Section 2. Repeal. All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance as of the effective date of this Ordinance, including, but without limitation, Ordinances No. 1981-3, 1985-2, 1985-3, 1995-2, 2005-10, 2006-25, 2018-3 and 2019-12 are hereby repealed to the extent of such conflict.

Section 3. Effective Date. This Ordinance was approved and adopted by the Township Board of the Charter Township of Allendale, Ottawa County, Michigan, on December 28, 2020, after introduction and a first reading on December 14, 2020, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective on January 1, 2021.



Jody L. Hansen
Allendale Charter Township Clerk

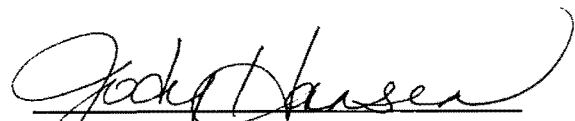


Adam Elenbaas
Allendale Charter Township Supervisor

CERTIFICATE

I, Jody Hansen, Clerk for the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing Water System Ordinance Amendment was adopted at a regular meeting of the Township Board held on December 28, 2020. The following members of the Township Board were present at the meeting: Mr. David VanderWall, Mr. Kenneth Murillo, Mr. Bruce Zeinstra, Ms. Candy Kraker, Ms. Jody Hansen, and Mr. Adam Elenbaas. The following members of the Township Board were absent: Ms. Barb Vander Veen. The Ordinance was adopted by the Township Board with the following members of the Board voting in favor of the Ordinance:

Mr. David VanderWall, Mr. Kenneth Murillo, Mr. Bruce Zeinstra, Ms. Candy Kraker, Ms. Jody Hansen, and Mr. Adam Elenbaas; and the following members of the Board voting in opposition of the Ordinance: None. Notice of adoption of the Ordinance was published in the Grand Rapids Press on January 3, 2021.


Jody Hansen, Clerk