

If any meter shall fail to register properly, or the meter cannot be read for any reason, the Township shall estimate the amount of water consumed based on prior billing periods and bill the customer for water and, if connected to the sewer system, for sewer, accordingly.

A water customer may request that a water meter be tested for accuracy. If the meter is found accurate on the basis of current American Waterworks Association standards, a charge as is provided in the Rate Schedule shall be made to the water customer. If the meter is found to be inaccurate on the basis of current American Waterwork Association standards, the meter shall be repaired or a new meter shall be installed and no charge shall be made to the water customer, either for the test or the meter repair or replacement.

**Section 20. Private Lateral.** The owner of each Premises served by water shall, at the owner's sole expense, construct the private lateral, running from the termination of the public lateral to the building, structure or other improvement served with water in accordance with the standard construction requirements referenced in Section 27 below. The Premises owner shall also maintain the private lateral in good condition with no leaks, breaks or other malfunction. All repair, reconstruction, and replacement of the private lateral shall be the responsibility of the Premises owner. The Premises owner shall indemnify the Township and its authorized representatives against any loss or damage, including attorney fees, that may directly or indirectly result from the construction, repair, maintenance, reconstruction, or replacement of the connection line.

**Section 21. One Service Line Per Premises.** Unless otherwise authorized by the Township in writing, each public lateral shall serve one Premises only.

**Section 22. Repair or Replacement of Meter or Connection.** If the meter or public lateral connection is damaged for any reason, all required repair and replacement shall be at the

expense of the Premises owner. If the meter or public lateral connection malfunction or are defective, repair or replacement shall be at the expense of the Township.

**Section 23. Damage to System Facilities.** No person, except an employee of the Township or other person duly authorized by the Township, shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the System. Any person responsible for any damage to the System shall reimburse the Township for the damage and for the loss of water caused thereby and shall be responsible for any injury or damage caused by escaping water.

**Section 24. Fire Hydrant Use or Obstruction.**

(a) No person, except an employee of the Township or other person duly authorized by the Township, shall open or use any fire hydrant, except in case of an emergency, without first securing written permission from the Township and paying the charge as provided in the Rate Schedule. No tool, other than the prescribed Township fire hydrant wrench, shall be used to open any fire hydrant. See also the Charter Township of Allendale Cross Connection Ordinance.

(b) No person shall, in any manner, obstruct or prevent free access to, or place or store temporarily or otherwise, any object, material, debris, automobile or structure of any kind within a distance of fifteen (15) feet of any fire hydrant. No person shall heap or pile snow within a four (4) foot radius of any fire hydrant. Each person who has a fire hydrant on that person's Premises shall keep the fire hydrant and the surrounding area within a four (4) foot radius of the fire hydrant free and clear from piled and accumulated snow.

**Section 25. Water Emergency Orders.** The Township Supervisor or his/her representative may, by written order, subject to review and modification or reversal by the Township Board, regulate, limit or prohibit the use of water. Such order may restrict less essential water uses to the extent deemed necessary to assure an adequate supply for essential water needs and for fire protection. Notice of the promulgation of any such order shall be published in a newspaper of general circulation in the Township and posted on the Township Internet website as soon as reasonably possible after promulgation. Violation of such an order shall constitute a violation of this Ordinance and shall be subject to the penalties and other remedies prescribed in this Ordinance.

**Section 26. Rules and Regulations.** The Township Board may from time to time adopt by resolution rules and regulations governing the type and quality of materials and accessories to be used for connection to the System, construction methods for connections to the System, and other operational, maintenance, and technical matters pertaining to the System. Violation of any such rule or regulation shall constitute a violation of this Ordinance and shall be subject to the penalties and other remedies hereinafter prescribed in this Ordinance.

**Section 27. Standard Construction Requirements.** The Township may, from time to time, adopt by resolution of its Township Board, standard construction requirements for the System, and establish a reasonable fee for obtaining copies of those requirements from the Township. Violation of any provision of such standard construction requirements shall constitute a violation of this Ordinance.

**Section 28. Disruption of Service.** The Township shall not be liable for any failure or deficiency in the supply of water to water customers whether occasioned by maintenance or repair of the System or any other cause.



**Section 29. Administrative Liability.** No officer, agent, or employee of the Township shall render himself or herself personally liable for any damages that may accrue to any person as a result of any act required or permitted in the discharge of his or her duties under and in the enforcement of this Ordinance.

**Section 30. Penalty.** Any violation of, refusal to comply with, or resistance to the enforcement of this Ordinance shall be a municipal civil infraction, and shall be subject to the enforcement procedures set forth in Municipal Civil Infraction Ordinance and a fine of fifty (\$50.00) dollars, plus costs and other sanctions, for each infraction. Each day during which any violation of this Ordinance continues shall be deemed a separate and distinct offense. Increased civil fines shall be imposed for repeated violations of this Ordinance; a repeat violation means a second or subsequent municipal civil infraction violation committed within any 12-month period and for which the violator admits responsibility or is determined to be responsible. The increased civil fine for repeat violations shall be as follows:

(a) The fine for any offense which is a first repeat offense shall be \$250.00, plus costs and other sanctions;

(b) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$500.00, plus costs and other sanctions.

Members of the Ottawa County Sheriff's Department assigned to the Township, members of the Ottawa County Sheriff's Department whose services are contracted for by the Township, or other persons designated by the Township Board as Township Ordinance Enforcement Officers for this Ordinance are hereby designated as Authorized Township Officials to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing alleged violators to appear at Allendale Charter

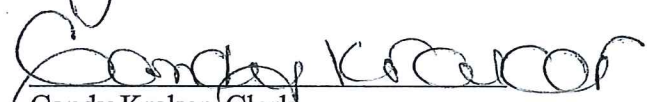
Township Municipal Ordinance Violations Bureau) as provided in the Municipal Civil Infraction Ordinance adopted by the Township.

**Section 31. Severability and Captions.** This Ordinance and the various sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby. Pronouns shall be read as masculine, feminine or neuter as may be appropriate. Captions appearing at the beginning of any section shall not be deemed a part of this Ordinance and shall have no independent significance.

**Section 32. 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, and 2005-10, are hereby repealed to the extent of such conflict.

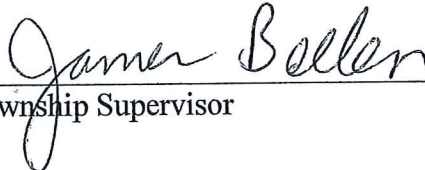
**Section 33. Effective Date.** This Ordinance was approved and adopted by the Township Board of the Charter Township of Allendale, Ottawa County, Michigan, on Oct. 23, 2006, after introduction and a first reading on October 9, 2006, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective on Oct. 30, 2006.

  
James Beelen, Supervisor

  
Candy Kraker, Clerk

## CERTIFICATE

We, James Beelen and Candy Kraker, the Supervisor and Clerk, respectively, for the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing Allendale Charter Township Ordinance was adopted at a regular meeting of the Allendale Charter Township Board held on October 23, 2006. The following members of the Township Board were present at the meeting: Beelen, Kraker, Roon, DeJong, Mohr, and Knoper. The following members of the Township Board were absent: Wilcox. The Ordinance was adopted by the Township Board with members of the Board, Beelen, Kraker, Roon, DeJong, Mohr, and Knoper voting in favor and members of the Board, none, voting in opposition. Notice of adoption of this ordinance was published in the Advance Newspapers, the Ottawa Edition, on October 30, 2006.

  
Township Supervisor

  
Township Clerk

**EXHIBIT A**  
**SCHEDULE OF RATES AND CHARGES**

Effective April 1, 2006

1. Section 5 connection charges and fees:
  - a. Lateral charge: \$600
  - b. Water meter fee, both regular and sprinkling meters:
    - (i) 5/8" meter - \$400.00
    - (ii) 3/4" meter - \$450.00
    - (iii) 1" meter - \$500.00
    - (iv) 1-1/2" meter - \$800.00
    - (v) 2" meter - \$1,200.00
    - (vi) 3" meter - \$2,400.00
    - (v) 4", 6", or 8" meter – actual cost
  - c. Inspection charge: \$30.00
  - d. Plumbing inspection fee: \$30.00
  - e. Frontage charge - \$40.00 per front foot multiplied times the frontage
  - f. Trunkage charge - \$760.00 per residential equivalent unit
2. Section 6 interest rate – 8%
3. Section 7 other charges:
  - a. Hydrant use for bulk water supply – commodity rate specified in 4(b)
  - b. Construction project water - commodity rate specified in 4(b)
  - c. Meter test charge - \$50.00
  - d. Service call to turn on water after shut off - \$100.00



4. Section 8 water charges and rates:

a. Customer service charge:

- (i) For a 5/8" meter - \$3.00 per billing quarter
- (ii) For a 3/4" meter - \$4.50 per billing quarter
- (iii) For a 1" meter - \$7.50 per billing quarter
- (iv) For a 1-1/2" meter - \$10.50 per billing quarter
- (v) For a 2" meter - \$12.00 per billing quarter
- (vi) For a 3" meter - \$22.50 per billing quarter
- (vii) For a 2T meter - \$12.00 per billing quarter
- (viii) For a 4T meter - \$30.00 per billing quarter
- (ix) For a 4" comp meter - \$30.00 per billing quarter
- (x) For a 6" meter - \$45.00 per billing quarter
- (xi) For a 8" meter - \$51.00 per billing quarter

This charge shall be assessed if the Premises is connected to the System for all or any part of a billing quarter. The fact the meter has been temporarily removed shall not excuse a Premises from payment of the customer service charge.

b. Commodity rate - \$2.90 per one thousand (1,000) gallons of water metered per billing quarter, 3,000 gallon minimum.

5. Section 9 penalty charge - 10%



**ALLENDALE CHARTER TOWNSHIP**

Water: 1 REU = 80,000 gallons per year

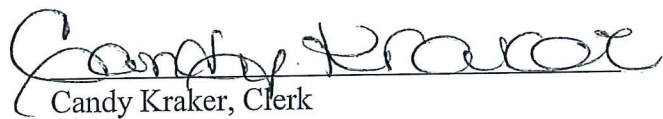
User	Residential Equivalent
Auto Dealer - Sales and/or Service	1.00/premise + 0.40/1000 sq. ft.
Bakery	1.25/1000 sq. ft.
Bank	1.00/1000 sq. ft.
Bar	3.00/1000 sq. ft.
Barber Shop	1.00/shop + 0.10/chair
Beauty Shop	1.00/shop + 0.10/booth
Boarding House, Boarding School, Dormitory, Fraternity or Sorority House, etc.	1.00 + 0.25/bedroom
Bowling Alley (with bar)	0.16/alley (bar to be computed at its respective residential equivalent)
Car Wash	2.50 - 10.00/single production line
Church	0.20/1000 sq. ft.
Cleaners (pick-up only)	1.00/shop
Cleaners (pressing facility)	1.25/press
Convalescent Home	0.22/bed
Day Care Center	1.00/premise + 0.25/1000 sq. ft.
Drug Store, Dime Store (with fountain service)	1.00/1000 sq. ft.
Factory (exclusive of excess industrial use)	0.50/1000 sq. ft.
Factory (light industry)	0.30/1000 sq. ft.
Fraternal Organization (with bar)	1.00/hall (bar to be computed at its respective residential equivalent)
Funeral Home	1.42/1000 sq. ft.
Hospital	1.10/bed
Hotel, Motel, Rooming House (without meals)	0.25/bed
Laundry (self-serve)	0.54/washer
Marina	0.10/slip
Mobile Home, Trailer Park	1.00/unit
Multiple Family Residence	1.00/unit
Office Building (general)	0.40/1000 sq. ft.
Office Building (medical, dental, clinic, etc.)	1.42/1000 sq. ft.
Post Office	1.00/1000 sq. ft.
Public Institute	0.75/1000 sq. ft.
Restaurant (with bar)	2.50/1000 sq. ft. (bar to be computed at its respective residential equivalent)
Retail Store	1.00/premise + 0.30/1000 sq. ft.
School (with swimming pool)	1.00/classroom (pool to be computed at its respective residential equivalent)
Service Station and Repair Area	0.25/pump + 0.40/1000 sq. ft.
Single Family Residence	1.00/unit
Snack Bar, Drive-In	4.00/1000 sq. ft.
Supermarket, Grocery Store	1.10/1000 sq. ft.
Swimming Pool	2.85/1000 sq. ft.
Theater - Drive-In	0.25/1000 sq. ft.
Theater – Indoor	1.00/theater
Travel Trailer, Parks & Campgrounds	0.20/site with sewer; 0.15/site without sewer
Two-Family Residence	1.00/unit
Utility Substation	0.10/1000 sq. ft.
Warehouse or Storage Building	0.10/1000 sq. ft.
Waste Disposal Station	2.00/station

**NOTICE OF POSTING OF  
PROPOSED ORDINANCE**

PLEASE TAKE NOTICE that a proposed Charter Township of Allendale Water System Ordinance that makes certain legislative findings, provides for the connection of water customers to the Charter Township of Allendale water system, provides for the imposition, collection and enforcement of charges rates and fees for connection to the Township water system and the receipt of service therefrom, provides for other matters relative to the operation, maintenance, repair and use of the Township water system, provides for the adoption of rules and regulations, for penalties for the violation of this Ordinance, administrative liability and the repeal of conflicting ordinances, and provides for an effective date, had its first reading at a meeting of the Allendale Charter Township Board held on October 9, 2006, and has been posted in the office of the Allendale Charter Township Clerk, 6676 Lake Michigan Drive, Allendale, Michigan 49401, (telephone: 616-895-6295), and in the following five other public places in the Township:

- (1) Allendale Waste Water Treatment Plant, 11624 40<sup>th</sup> Avenue, Allendale, MI;
- (2) Allendale Township Library, 6175 Library Lane, Allendale, MI;
- (3) Allendale Post Office, 6839 Lake Michigan Dr., Allendale, MI;
- (4) Allendale Community Education, 6561 Lake Michigan Dr., Allendale, MI;  
and
- (5) Allendale Public High School, 10760 68<sup>th</sup> Avenue, Allendale, MI.

Dated: October 10 2006

  
Candy Kraker, Clerk  
Allendale Charter Township



NOTICE OF ADOPTION AND POSTING OF AMENDMENT  
TO ALLENDALE CHARTER TOWNSHIP WATER SYSTEM ORDINANCE

PLEASE TAKE NOTICE that a Water System Ordinance was adopted at the Allendale Charter Township Board meeting held on October 23, 2006, and that this Ordinance makes certain legislative findings, provides for the connection of water customers to the Charter Township of Allendale water system, provides for the imposition, collection and enforcement of charges rates and fees for connection to the Township water system and the receipt of service therefrom, provides for other matters relative to the operation, maintenance, repair and use of the Township water system, provides for the adoption of rules and regulations, for penalties for the violation of this Ordinance, administrative liability and the repeal of conflicting ordinances, and provides for an effective date.

PLEASE TAKE FURTHER NOTICE that the Ordinance Amendment was given effect as of

October 30, 2006.

PLEASE TAKE FURTHER NOTICE, that a copy of the Ordinance Amendment may be purchased or inspected by any person at the Allendale Charter Township office at 6676 Lake Michigan Drive, Allendale, Michigan (Telephone: 616-895-6295), on any day of the week, except Saturdays, Sundays and holidays, between the hours of 9:00 a.m. and 12:00 noon, and 1:00 p.m. and 5:00 p.m.

PLEASE TAKE FURTHER NOTICE that the Ordinance Amendment has been posted in the office of the Allendale Charter Township Clerk, Allendale Charter Township, 6676 Lake Michigan Drive, Allendale, Michigan (Telephone: 616-895-6295), and the following five other public places in Allendale Charter Township:

- (1) Allendale Waste Water Treatment Plant, 11624 40<sup>th</sup> Avenue, Allendale, MI;
- (2) Allendale Township Library, 6175 Library Lane, Allendale, MI;
- (3) Allendale Post Office, 6839 Lake Michigan Dr., Allendale, MI;
- (4) Allendale Community Education, 6561 Lake Michigan Dr., Allendale, MI;  
and
- (5) Allendale Public High School, 10760 68<sup>th</sup> Avenue, Allendale, MI.

Dated: October 24, 2006.

Candy Kraker, Clerk  
Allendale Charter Township

AFFIDAVIT OF POSTING

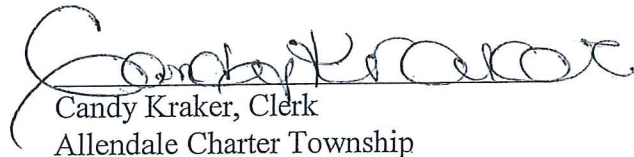
STATE OF MICHIGAN     )  
                                       ) ss.  
 COUNTY OF OTTAWA     )

The undersigned, Candy Kraker, the Allendale Charter Township Clerk, being first duly sworn, deposes and says as follows:

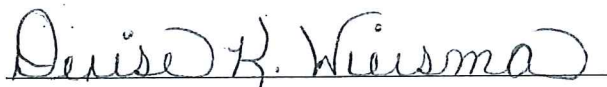
1. That she posted the proposed Allendale Charter Township Ordinance attached hereby as Exhibit A, after its first reading at a meeting of the Allendale Charter Township Board held on October 9, 2006, in her office and the following five other public places in the Township on October 11, 2006. The five other public places are as follows:

- (1) Allendale Waste Water Treatment Plant, 11624 40<sup>th</sup> Avenue, Allendale, MI;
- (2) Allendale Township Library, 6175 Library Lane, Allendale, MI;
- (3) Allendale Post Office, 6839 Lake Michigan Dr., Allendale, MI;
- (4) Allendale Community Education, 6561 Lake Michigan Dr., Allendale, MI;  
and
- (5) Allendale Public High School, 10760 68<sup>th</sup> Avenue, Allendale, MI.

Further deponent sayeth not.

  
 Candy Kraker, Clerk  
 Allendale Charter Township

Subscribed and sworn to before me this  
11 day of October, 2006.



Notary Public, Ottawa County, Michigan  
 My commission expires: 11.29.08

**DENISE K. WIERSMA**  
 Notary Public, Ottawa County, MI  
 My Commission Expires Nov. 29, 2008



AFFIDAVIT OF POSTING

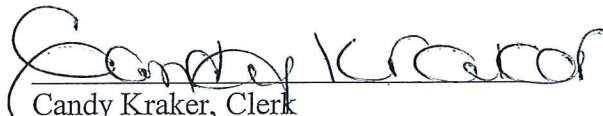
STATE OF MICHIGAN     )  
                                  ) ss.  
COUNTY OF OTTAWA     )

The undersigned, Candy Kraker, the Allendale Charter Township Clerk, being first duly sworn, deposes and says as follows:

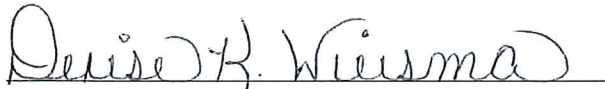
1. That she posted the Allendale Charter Township Ordinance attached hereby as Exhibit A, as adopted at a meeting of the Allendale Charter Township Board held on October 23, 2006, in her office and the following five other public places in the Township on Oct. 25 2006. The five other public places are as follows:

- (1) Allendale Waste Water Treatment Plant, 11624 40<sup>th</sup> Avenue, Allendale, MI;
- (2) Allendale Township Library, 6175 Library Lane, Allendale, MI;
- (3) Allendale Post Office, 6839 Lake Michigan Dr., Allendale, MI;
- (4) Allendale Community Education, 6561 Lake Michigan Dr., Allendale, MI;  
and
- (5) Allendale Public High School, 10760 68<sup>th</sup> Avenue, Allendale, MI.

Further deponent sayeth not.

  
Candy Kraker, Clerk  
Allendale Charter Township

Subscribed and sworn to before me this  
25 day of October, 2006.



Notary Public, Ottawa County, Michigan  
My commission expires: 11-29-08

**DENISE K. WIERSMA**  
Notary Public, Ottawa County, MI  
My Commission Expires Nov. 29, 2008

**CHARTER TOWNSHIP OF ALLENDALE**

**ORDINANCE NO. 2008-10**

**AMENDMENT TO EXHIBIT A OF THE  
WATER SYSTEM ORDINANCE**

AN ORDINANCE to amend the Charter Township of Allendale Water System Ordinance; to revise Exhibit A, the Schedule of Rates and Charges; and to provide for the effective date of this Ordinance.

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

**Section 1. Amendment of Exhibit A to the Charter Township of Allendale Water System Ordinance.** Exhibit A of the Charter Township of Allendale Water System Ordinance shall be amended to state in its entirety as follows:

**"EXHIBIT A"  
SCHEDULE OF RATES AND CHARGES**

Effective: July 1, 2008

1. Section 5 connection charges and fees:
  - a. Lateral charge: \$600.00
  - b. Water meter fee, both regular and sprinkling meters:
    - (i) 5/8" meter - \$410.00
    - (ii) 3/4" meter - \$450.00
    - (iii) 1" meter - \$500.00
    - (iv) 1-1/2" meter - \$900.00
    - (v) 2" meter - \$1,200.00

- (vi) 3" meter - \$2,400.00
  - (vii) 4" meter - \$4,000.00
  - (viii) 6", or 8" meter – actual cost
- c. Frontage charge - \$40.00 per front foot multiplied times the frontage
- d. Trunkage charge - \$780.00 per residential equivalent unit
- 2. Section 6 interest rate – 8%
- 3. Section 7 other charges:
  - a. Hydrant use for bulk water supply – commodity rate specified in 4(b)
  - b. Construction project water - commodity rate specified in 4(b)
  - c. Meter test charge - \$50.00
  - d. Service call to turn on water after shut off - \$100.00
- 4. Section 8 water charges and rates:
  - a. Customer service charge:
    - (i) For a 5/8" meter – see chart below
    - (ii) For a 3/4" meter – see chart below
    - (iii) For a 1" meter – see chart below
    - (iv) For a 1-1/2" meter - \$12.00 per billing quarter
    - (v) For a 2" meter - \$14.40 per billing quarter
    - (vi) For a 3" meter - \$21.60 per billing quarter
    - (vii) For a 2T meter - \$14.40 per billing quarter
    - (viii) For a 4T meter - \$36.00 per billing quarter
    - (ix) For a 4" comp meter - \$36.00 per billing quarter



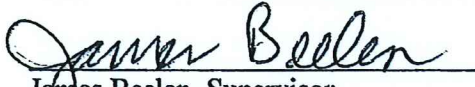
User	Residential Equivalent
Convalescent Home	0.22/bed
Day Care Center	1.00/premise + 0.25/1000 sq. ft.
Drug Store, Dime Store (with fountain service)	1.00/1000 sq. ft.
Factory (exclusive of excess industrial use)	0.50/1000 sq. ft.
Factory (light industry)	0.30/1000 sq. ft.
Fraternal Organization (with bar)	1.00/hall (bar to be computed at its respective residential equivalent)
Funeral Home	1.42/1000 sq. ft.
Hospital	1.10/bed
Hotel, Motel, Rooming House (without meals)	0.25/bed
Laundry (self-serve)	0.54/washer
Marina	0.10/slip
Mobile Home, Trailer Park	1.00/unit
Multiple Family Residence	1.00/unit
Office Building (general)	0.40/1000 sq. ft.
Office Building (medical, dental, clinic, etc.)	1.42/1000 sq. ft.
Post Office	1.00/1000 sq. ft.
Public Institute	0.75/1000 sq. ft.
Restaurant (with bar)	2.50/1000 sq. ft. (bar to be computed at its respective residential equivalent)
Retail Store	1.00/premise + 0.30/1000 sq. ft.
School (with swimming pool)	1.00/classroom (pool to be computed at its respective residential equivalent)
Service Station and Repair Area	0.25/pump + 0.40/1000 sq. ft.
Single Family Residence	1.00/unit
Snack Bar, Drive-In	4.00/1000 sq. ft.
Supermarket, Grocery Store	1.10/1000 sq. ft.
Swimming Pool	2.85/1000 sq. ft.
Theater - Drive-In	0.25/1000 sq. ft.
Theater - Indoor	1.00/theater
Travel Trailer, Parks & Campgrounds	0.20/site with sewer: 0.15/site without sewer
Two-Family Residence	1.00/unit
Utility Substation	0.10/1000 sq. ft.
Warehouse or Storage Building	0.10/1000 sq. ft.
Waste Disposal Station	2.00/station

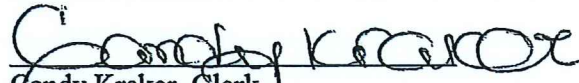
**Section 2. Repeal.** All resolutions, ordinances or orders or parts thereof which are in conflict in whole or in part with any of the provisions of this Amendment Ordinance are, to the extent of such conflict, hereby repealed.

**Section 3. Effective Date.** That the foregoing Amendment to the Charter Township of Allendale Water System Ordinance was approved and adopted by the Township Board of the Charter Township of Allendale, Ottawa County, Michigan, on July 14, 2008, after introduction




and a first reading on June 23, 2008, 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 July 22, 2008.

  
James Beelen, Supervisor

  
Candy Kraker, Clerk

## CERTIFICATE

We, James Beelen and Candy Kraker, the Supervisor and Clerk, respectively, for the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing Allendale Charter Township Ordinance was adopted at a regular meeting of the Allendale Charter Township Board held on July 14, 2008. The following members of the Township Board were present at the meeting: Beelen, Kraker, Roon, Alkema, DeJong, and Knoper. The following members of the Township Board were absent: none. The Ordinance was adopted by the Township Board with members of the Board, Beelen, Kraker, Roon, DeJong, and Knoper voting in favor, and members of the Board, none, voting in opposition. This ordinance was published in the Advance Newspapers, the Ottawa Edition, on July 22, 2008.

  
Township Supervisor

  
Township Clerk

## CHARTER TOWNSHIP OF ALLENDALE

### ORDINANCE NO. 2015-16

#### WATER SYSTEM AMENDMENT ORDINANCE

AN ORDINANCE to amend the Water System Ordinance, Ordinance No. 2006-25, previously adopted by the Charter Township of Allendale, specifically pertaining to the frontage charge assessed to water customers of the Township.

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

**Section 1. Frontage Charge.** Section 5(b) of the Water System Ordinance, Ordinance No. 2006-25, previously adopted by Allendale Charter Township, is restated in its entirety as follows.

(b) Frontage Charge. All Premises connecting to the System shall pay a frontage charge, as provided in the Rate Schedule, for each front foot of the Premises which is functionally utilized, but limited to a maximum of 100 feet for Premises with only one single family dwelling. The frontage charge shall not apply if:

(1) the Premises have been included in a special assessment district and were assessed for the cost of the functionally utilized frontage; or

(2) the System main adjacent to the Premises was constructed as part of a development or project in which the connecting party, the connecting party's predecessor, or the Township, on behalf of and at the expense of the connecting party or the connecting party's predecessor, constructed the main. However, if the development or project itself has frontage (i) on a System main not constructed as part of the development or project, or (ii) on a street that does not then have a System main but which the Township reasonably anticipates will have a System main at some time in the future, then a frontage charge for such frontage on the System main or street shall nevertheless be paid by the development or project subject, however, for a corner lot deferment as provided below. Further, if the Township has a contractual reimbursement obligation with respect to the System main to which the connection will be made, then a frontage charge shall nevertheless be payable.

The portion of the Premises which is functionally utilized shall include that portion of the Premises which is occupied by buildings or structures and also which is occupied by recreational facilities (swimming pools, etc.), drives, parking area, grass, other landscaping, and/or other site





improvements. With respect to a connection by a farm house and/or farm buildings, farm land devoted to the raising of animals or crops or left fallow shall not be considered to be functionally utilized. In order to be excluded from consideration in calculating the frontage charge, the frontage which is not functionally utilized must meet the minimum zoning ordinance requirements for a buildable lot in the zoning district where the Premises are located.

Frontage which is not charged because it is not being functionally utilized, or because it exceeds 100 feet for Premises with only one single family dwelling, shall be considered to be deferred frontage and shall be subject to connection charges at the then current rate including, but not limited to, a frontage charge, as is provided in this Section 5, at such time as a building or zoning permit is applied for for improvements to be located on the deferred frontage.

The frontage for each Premises shall be measured at the edge of the street right-of-way or public easement for the water main. However, where there are non-rectangularly shaped lots or parcels of land, the Township may, in its discretion, elect to measure the frontage for a Premises at a point back from the edge of the street right-of-way or public easement for the water main equal to the minimum front yard depth then required for the Premises under the Township Zoning Ordinance.

Corner lot long side frontage shall be deferred for a distance of 200 feet and shall only be assessed beyond 200 feet if functionally utilized as provided above, but limited to a maximum of 100 feet for Premises with only one single family dwelling. Except in the case of a corner lot as provided above, all Premises shall be assessed for their full functionally utilized frontage regardless of whether the water main extends across the entire width of the Premises, but in no event shall Premises with only one single family dwelling be assessed for more than 100 feet of frontage.

**Section 2. Effective Date.** This Ordinance was approved and adopted by the Township Board of the Charter Township of Allendale, Ottawa County, Michigan, on August 24, 2015, after introduction and a first reading on August 10, 2015, 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 September 14, 2015.

  
Jerry Alkema, Supervisor  
Laurie Richards, Clerk



### CERTIFICATE

I, Laurie Richards, Clerk for the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing Water System Amendment Ordinance was adopted at a regular meeting of the Township Board held on August 24, 2015. The following members of the Township Board were present at the meeting: Hoekstra, Murphy, Richards, Alkema, Zeinstra. The following members of the Township Board were absent: Door, Modderman. The Ordinance was adopted by the Township Board with members of the Board Hoekstra, Murphy, Richards, Alkema, Zeinstra voting in favor and members of the Board none voting in opposition. The Ordinance was published in the Advance Newspaper on September 6, 2015.

  
Laurie Richards, Clerk