

TOWNSHIP OF GRANT
ORDINANCE NUMBER 98-02

OPERATION AND MAINTENANCE ORDINANCE

AN ORDINANCE PROVIDING FOR THE OPERATION, MANAGEMENT, MAINTENANCE, REPAIR, AND CONTROL OF THE GRANT TOWNSHIP WATER SYSTEM AND ANY EXTENSION THEREOF, ESTABLISHING RULES AND REGULATIONS GOVERNING SAID SYSTEM AND ANY EXTENSION THEREOF, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

ALL PREMISES THAT WERE CONNECTED TO THE COPPER HARBOR WATER SYSTEM ON THE EFFECTIVE DATE OF THIS ORDINANCE, AND ARE NOT OTHERWISE IN VIOLATION OF THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH GROUND WATER CONTROL RULES, AS CONTAINED IN PART 127 OF ACT 368 PA OF 1978 AS AMENDED OF THE MICHIGAN ADMINISTRATIVE CODE, OR OF ANY OTHER MICHIGAN LAW GOVERNING WATER SYSTEMS, WITH THE EXCEPTION OF THOSE THAT WERE CONNECTED UNDER AGREEMENT OF A WAIVER GRANTED BY THE COPPER HARBOR UTILITY BOARD, SHALL BE DEEMED TO BE IN COMPLIANCE WITH THIS ORDINANCE.

WHEREAS, the Township of Grant has undertaken to operate, manage, maintain, and repair the Grant Township Water System and to establish and collect such charges pertaining thereto as shall be necessary to provide revenues sufficient therefor; and

WHEREAS, this ordinance is adopted in order to carry out the Township's responsibilities; Therefore

THE TOWNSHIP OF GRANT, County of Keweenaw, State of Michigan

Hereby ordains:

SECTION - 1. DEFINITIONS.

For the purpose of this ordinance, the following words, terms, and abbreviations shall have the meaning set out below, unless the context specifically indicates otherwise. Throughout the ordinance, the verb "shall" indicates mandatory action, "may" indicates permissive action, and, "will" is simple future action.

- 1.1 "Board" and "Township Board" means the Township Board of said Township.
- 1.2 "Grant Township Water System", "water system", and "system" mean collectively all plants, work, properties, and instrumentalities, as the same shall from time to time exist, which are used or useful in connection with the obtaining of a water supply, the treatment of water, and/or the distribution of water by the Township.
- 1.3 "Main" and "water main" mean those pipes, other than supply pipes and service pipes, used for conveying or distributing water.
- 1.4 "Premises" means the particular property connected to the water system and includes appurtenant land and improvements.

- 1.5 "Service pipe" means a pipe extending from the property line into premises supplied with water.
- 1.6 "Supply pipe," means a pipe tapped into a main and extending thence to and including the curb cock or valve at the property line.
- 1.7 "Township" means the Township of Grant, Keweenaw County, and Michigan.
- 1.8 "Utilities Board", "Copper Harbor Utilities Board", or "Grant Township - Copper Harbor Utilities Board" - means the five-member panel of persons appointed by the Township Board, as authorized by Resolution dated October 14, 1991.
- 1.9 "Water department" means collectively those officials, employees, and agents of the Township invested by the Township Board with authority over the water system.

SECTION 2. ORGANIZATION AND MANAGEMENT.

- 2.1 In pursuance of and within the limits of applicable laws, the operation, management, maintenance, and repair of the water system, including collection and disposition of the revenues thereof shall be under the immediate supervision and control of the Township Board which shall have ultimate responsibility for the water system and for enforcement of this ordinance and any additional rules and regulations adopted with respect to the water system.
- 2.2 All officers, Boards, employees and agents of the Township Board, insofar as their functions pertain to the water system, shall be held strictly accountable for the performance of the powers and duties delegated to them, and shall not vary from or exceed the authority conferred upon them.
- 2.3 All revenues of the water system shall be set aside and paid or transferred into the several funds of the water system, as provided in Ordinance Number 98-01 (Water Rate Ordinance), and shall be used as therein provided.

SECTION 3. SERVICE PIPES AND SUPPLY PIPE CONNECTIONS.

- 3.1 The Michigan Department of Public Health Ground Water Control Rules, as contained in Part 127 of Act 368 PA of 1978 as amended of the Michigan Administrative Code, are hereby adopted by reference, and shall be controlling within the limits of the Township of Grant.
- 3.2 On and after the effective date of this Ordinance, before any connection shall be made to any water main, an application for the same shall be made in writing to the Township Board by the owner of the premises to be serviced, or by his or her authorized agent, a tapping permit secured, and a Water User's Agreement signed. Installations that were in existence on the date of passage are presumed to have met the conditions of this paragraph.
- 3.3 Such applications for service shall be made on forms provided by the Board. The owner, user, and/or applicant for a water tapping permit by such application impliedly agrees to abide by all rules and regulations of the Board in all respects, but more

especially with those regarding the responsibility for the payment of water billings and the abandonment of existing Wells.

- 3.4 All supply and service pipes shall be of Type "K" Copper of size and quality as approved by the Board or its designated representative. All fittings and connections shall be approved by the Board or its designated representative.
- 3.5 Water shall be taken and used only through water service pipes under the supervision of the Board and no connection through which water may pass from one property or premises to another shall be permitted even though the ownership of both properties or premises may be the same unless a specific waiver of this requirement is approved by the Utilities Board
- 3.6 Excessive or unnecessary use or waste of water, whether caused by carelessness or by defective or leaky plumbing or fixtures is strictly prohibited. For disregard of, or repeated violation of this requirement, the water may be turned off by the Board.
- 3.7 Service pipes shall be installed by a licensed plumber or a homeowner exercising his constitutional privilege as provided in Section 141 of the State Plumbing Code, and all the fixtures and attachments installed on the premises in connection therewith must conform to character, design, and quality laws of the State of Michigan and the State Plumbing Code.
- 3.8 All service pipes intended to serve premises that are or will be capable of year round occupancy, installed on and after the effective date of this Ordinance, must be laid with a minimum of six (6) feet of cover as measured from finished grade. Installation must be inspected by an inspector from the Township before backfill. No new connection will be made until written approval by the Inspector is given to the Board.
- 3.9 For service pipes, a distance of ten (10) feet from all sewer or septic lines shall be maintained where possible. In areas where bedrock is encountered, and with prior approval of the Western Upper Peninsula Health Department, water service pipes may be installed in the same trench as the sewer lines. In areas where bedrock is encountered the Township may permit installation of service pipes at a depth less than six (6) feet, provided an approved method of insulation of the water service pipe is utilized.

In no case shall the water service line be installed at a depth less than four (4) feet. Under an entry or driveway, or under areas that are usually cleared of snow cover during the winter, the minimum depth of a service line shall be seven (7) feet, and must be insulated as approved by the Township.
- 3.10 A separate gate valve the same size as the meter connections shall be placed on the service pipe on both sides of the meter. Such valves shall be equal in quality to the service cock.
- 3.11 No supply pipe of less than ¾" - diameter will be permitted. The installation and use of supply pipes of larger size shall be determined by the Board.
- 3.12 The charges for installation of supply pipes and meters shall be as set forth as provided for in Ordinance Number 98-01 (Water Rate Ordinance) Subsection 3.8 and shall be paid when application for service is made.

- 3.13 The Township shall determine the charge for supply pipes larger than one inch. The applicant will be required to deposit the amount so determined with the Board.
- 3.14 At the time application is made for a water service connection to a building under construction, the applicant must pay a flat rate for water usage as determined by the Board. Said fee for construction water shall entitle the applicant to water for construction purposes for a period of not more than three (3) months. Where water is provided without a meter for construction of building, any wasting of water, whether caused by carelessness or by defective fixtures is strictly prohibited. For disregard of, or repeated violation of this requirement, the Board may turn off the water service. The water service shall not be turned on again until an agreement is reached between the parties involved.
- 3.15 No supply pipe shall be installed when the service pipe is in line with a driveway, tree, fire hydrant, catch basin, or other obstruction.
- 3.16 All supply pipes from the main to the property line shall be put in only by properly authorized employees or representatives of the Township Board. Before a permit for a service connection is issued, there must be paid such a sum, as required, to cover the expense of furnishing and installing the supply pipe, curb stop, stop box, and meter as provided in Ordinance Number 98-01 (Water Rate Ordinance).
- 3.17 The water supply pipe, from the main to the curb box shall be maintained by the Board. The service pipe from the curb box to the premises shall be considered private plumbing and be installed and maintained by the owner of the premises in accordance with the provisions of Subsection 3.7. Failure to keep the service line in good repair will result in discontinuance of service
- 3.18 No person shall interfere in any way with the supply pipe installed by the Board. No person is permitted to turn water on or off at the curb stop except for the purpose of testing his work, in which case the curb stop shall be left in the same condition and position as it was in before the work began.
- 3.19 All Township water used on any premises where a meter is installed must pass through the meter. No bypassing of the meter will be permitted except as provided in Section 10.8.

SECTION 4. INSPECTION AND INSPECTORS.

- 4.1 Inspectors, foremen, and employees of the Township Board whose duty it may be to enter upon private premises to make inspection and examination of the pipes, fixtures, or attachments used in connection with the water supply, will be provided with a badge or such other credentials as the Board may deem proper to identify them as authorized agents of the Township. No inspector, foreman, or other employee of the Board shall be entitled to enter upon any private premises unless he carries and exhibits such badge or credentials.
- 4.2 Any officer, inspector, foreman, or other authorized employee of the Township Board shall, upon the presentation of the badge or other credentials provided for in the next preceding section, have free access at all reasonable hours to any premises supplied

with water for the purpose of making any inspection thereof, including the examination of the entire of the water supply and plumbing water system upon said premises, and annual meter comparison readings to verify the accuracy of remote water use indicators. No person shall refuse to admit any authorized inspector and employee of the Board for any such purpose. In case any authorized employee is refused admittance to any premises, or upon being admitted, shall be hindered or prevented in making such examination, the Township Board may turn off the water from said premises after giving twenty-four hours notice to the owner or occupant of said premises.

- 4.3 No person not an authorized officer or employee of the Township Board shall have or wear or exhibit any badge or credential of the Board. It shall be the duty of each and every officer and employee of the Board upon resignation or dismissal, forthwith, to surrender and deliver to the Board all badges and credentials issued by the Township Board.

SECTION 5. WELL ABANDONMENT (PLUGGING)

- 5.1 Unused wells on premises served by the water system shall be abandoned (plugged) by the methods described in the Michigan Department of Public Health Ground Water Control Rule 325,1666.
- 5.2 The abandonment (plugging) of wells existing on the property must be accomplished by a well driller licensed by the State of Michigan under Act 294. The contractor shall provide the Board with a list of materials to be used and methods employed in using them before commencing work.
- 5.3 The abandonment (plugging) of wells is the responsibility of the owner of the premises and all costs associated with abandonment shall be borne by the owner.
- 5.4 If such abandonment is not accomplished within sixty (60) days of the start of service, the Township Board may turn off the water from said premises after giving ten days written notice to the owner or occupant of said premises. Notice shall be considered delivered to the owner or occupant of the premises upon the mailing of the notice to the owner or occupant of the premises by United States First Class Mail.

SECTION 6. WATER METERS.

- 6.1 All service connections, except separate fire connections, shall be metered and shall pay for water at the rate established by the Township Board. In no case will water be supplied, except for temporary use, with Board approval, at other than the established water rate.
- 6.2 The supply pipe and meter installation charge for which provision is made in Section 3.12 shall include the cost of the water meter furnished by the Township Board and the installation thereof, all necessary couplings and flanges, and any remote reading devices required to comply with Subsection 6.10, but such meter shall remain the property of the Township and will at all times remain under its control. The Township will furnish the meter couplings/ flanges

- 6.3 The maintenance of the meter will be the obligation of the Township, provided, that where replacements, repairs, or adjustments of the meter are made necessary by the act, neglect, or carelessness of the owner or occupant of any premises, the expense to the Township caused thereby may be charged against and collected from the owner or occupant of the premises. A charge for replacement, repair, or adjustment of a meter will be added to the water user's monthly bill and is subject to the penalties for delinquency in payment as stated elsewhere in this Ordinance, including the imposition of a lien upon the premises
- 6.4 A premises on which there is installed a water meter comparable to the water meters approved for use with, and compatible with, the water system may continue to use that water meter to measure water usage at that premises, but its use, care, and maintenance shall be governed by the Township Board under the same rules, regulations, and ordinances which apply to water meters provided by the Township and approved for the water system. In the event that the water meter fails to function properly or becomes incompatible with the equipment used by the water system, the water meter must be immediately replaced with a water meter provided by the Township and approved for the water system.
- 6.5 The owner of any premises where a water meter is installed shall be held responsible for its care and protection from freezing or damage by hot water, and from injury or interference by any person or persons. Repair or maintenance expenses caused by injury to the water meter, whether through neglect, carelessness, or deliberate vandalism may be charged against and collected from the owner or occupant of the premises.
- 6.6 If a water meter fails to function or to register, the consumer will be charged at the average monthly consumption as shown by the water meter when in order. The accuracy of any water meter installed in any premises will be tested by the Operator upon request of the customer, who shall pay in advance a fee of Ten dollars (\$10.00) for the test. If, on such test, the water meter shall be found to register over five per cent more water than actually passes through another water meter will be installed and the fee of \$ 10.00 refunded to the customer, and the water- bill shall be adjusted as hereinafter provided.
- 6.7 The owner of the premises served and the occupant thereof and the user of the water service, or user of sewer service if the premises is served by sewer but not water service, shall provide access to Water Department personnel, upon request, during normal business hours or at a time agreed upon by both parties, for the purpose of inspection, cleaning, comparison reading, calibrating, and repair, if repair is deemed necessary. If a water meter is found to be defective beyond repair by Water Department personnel, a township provided meter shall be installed and the Owner of the premises so notified.
- 6.8 All persons are forbidden to interfere with, move, or remove, a water meter from any service connection without first receiving permission from the Township Board. No person shall remove or break any seat on water meters or by-pass valves.
- 6.9 For reading and maintenance purposes, all water meters shall be set horizontally in dry, clean, sanitary places, perfectly accessible, no less than 12" from floor level or more than 24" from floor level, with a minimum of 6" from any wall, 12" from the top of the meter to an immovable object, with a gate valve on both sides of the water meter, and where a small leak or the spilling of water will do no damage.

- 6.10 At locations where access to the water meter cannot readily be provided, or where the water meter must be protected from freezing or other natural or man-made hazards, a remote reading unit must be installed on the water meter with the reading indicator mounted on readily accessible outdoor location for the purpose of periodic water meter readings. The cost of the remote unit will be charged to the owner of the premises.
- 6.11 Bypasses are not required on all 1 1/2" and larger meter installations, but may be approved by the Township. Bypasses will not be allowed on 1" meters or smaller.
- 6.12 All services 1 1/2" or larger must have a tee between the meter and outlet valve, to be used for testing the water meter without its removal. The size of the side opening of this tee shall 1 1/2" for 1 1/2" service pipes, 2" for all service pipes up to and including 4". The side opening of the tee shall be 3" for all service pipes larger than 4". The side opening of such tee shall be plugged.

SECTION 7. WATER RATES

- 7.1 Water rates shall be those established by the Grant Township Water Rate Ordinance Number 98-01.

SECTION 8. COLLECTION OF RATES AND CHARGES

- 8.1 All debt service, capital equalization, and consumption charges may be collected by personal action against any person liable therefor and shall, in addition, be a lien upon the premises served. Any charges, including accumulated interest which, on July 1 of each year, have been delinquent for six (6) months or more shall be transferred to the next Township tax roll against the premises served and shall be collected and said lien enforced in the same manner as provided in respect to Township taxes assessed on said roll, and notification of same mailed to the property owner.

SECTION 9. USE OF WATER

- 9.1 No steam boiler shall be directly connected to the water service pipe. The owner shall provide a tank of sufficient capacity to afford a supply for at least ten (10) hours, into which the service pipe shall discharge.
- 9.2 No person shall take or use water from premises other than his own, or premises of which he has possession.
- 9.3 Where one premises is occupied by two or more distinct families, or where a business building is occupied by two or more firms or persons, a single charge for water will be made against the owners of the premises, for the whole. However, a premises containing more than one building under one ownership may be served by more than one water service and water meter upon approval of the Board.
- 9.4 In multiple water meter installations, no master water meter will be allowed. When more than one water meter is served by one water service, all the meters served by the service must operate from a manifold type arrangement. Failure of one unit in a manifold arrangement to pay for water received will result in a discontinuance of water to that water meter.

- 9.5 Where a building or property, originally built as one single building or operated as a multiple unit business or premises, and fitted with one service pipe, but capable of being divided by sale or otherwise, has been or may be hereafter subdivided and each subdivision shall be separately owned, the separate division or divisions so made must be connected to the main by separate service pipes within thirty (30) days after such sale or division unless a specific waiver has been granted by the Township based on unusual location or installation restrictions.
- 9.6 Where the water has been turned off by the authorized agent of the Township Board for any reason, only authorized personnel shall turn it on again. When this rule is violated the water may be turned off at the curb stop, in which case the owner or occupant shall, before it is again turned on, pay in advance the charges made by the Board for turning the water off and turning it on again.
- 9.7 No person or persons shall obstruct or interfere in any way with any curb stop, valve, or fixture connected with the water system by placing in, or about it, building materials, rubbish, soil, shrubbery, flowers, or other hindrances to easy and free access thereto.
- 9.8 All cross-connections between any type of water supply and municipal water supply are strictly prohibited. In the event a cross-connection is discovered, the water will be turned off at the curb stop until the cross-connection is severed. No direct connection of any type to a sewer line shall be allowed.
- 9.9 Only approved water conserving type air conditioning units will be allowed. An approved water conserving type shall be one:
- a) Which is equipped with cooling tower, atmospheric condenser, spray pond, or other equipment which shall directly or indirectly cool refrigerant, and
 - b) Which can use water from the Grant Township Water System only for makeup water to replace water lost by evaporation or by flushing of the equipment, and
 - c) Which uses an average of less than twelve (12) gallons of water from Grant Township Water System per hour per ton of cooling capacity when the unit is operating, and
 - d) Which has no piping connection to allow operation of the air conditioning unit by direct use of water from the Grant Township Water System either in conjunction with or in place of such cooling tower, atmospheric condenser, spray pond, or other recirculating and heat-exchanging equipment.

SECTION 10. FIRE HYDRANTS.

- 10.1 Fire hydrants are provided for the use by the water system and Township Volunteer Fire Department or by such persons as may be specially authorized by the Township.
- 10.2 With the exception of the Township Volunteer Fire Department, or other governmental units specifically authorized by the Township Board, no person, firm, or corporation shall open or cause to be opened any fire hydrant without first securing a "Permit to Use Fire Hydrant" from the Township. A deposit of Fifty Dollars (\$50.00) will be required. Such person, firm, or corporation must report to the Water System Operator when such use is started and is terminated, at which time a hydrant inspection will be made and if damage occurs to the hydrant, the cost of repairing the hydrant, if any, shall be deducted from the

deposit and the difference, if any, refunded to the depositor. If the deposit is insufficient to cover said costs, the permit holder shall pay the deficit. User will pay for the water used as determined by the Water System Operator at the rate set by Ordinance.

- 10.3 The Township Volunteer Fire Department shall notify the Water System Operator whenever fire hydrants are used.
- 10.4 The Township Board must approve the type, size of openings, and types of nozzle thread on all hydrants installed on private property serviced by the Grant Township Water System.
- 10.5 No person, firm, or corporation shall in any manner obstruct or prevent free access to or place or store temporarily or otherwise any object, material, snow (except as provided in Par. 10.5a), debris, automobile, or structure of any kind within a distance of twenty (20) feet of any hydrant. Any such obstruction when discovered may be removed at once by the Board or its designated representative at the expense of the person, firm, or corporation responsible for the obstruction.
- 10.5a The Keweenaw County Road Commission is specifically permitted to conduct normal snow plowing operations without regard to Par. 10.5.
- 10.6 Hydrants are located within the road right-of-way or easement and any person, firm, or corporation desiring to have a hydrant moved to another location shall obtain permission of the Board and shall bear the complete cost of moving said hydrant.
- 10.7 Where pipes are provided for fire protection in any premises or where hose connections for fire apparatus are provided on any pipe, each connection or opening on said pipes shall have not less than twenty-five (25) feet of fire hose constantly attached thereto, and no water shall be taken or used through such openings or hose for any purpose other than extinguishing fires, except for the purpose of testing said fire equipment. In such case the test must be conducted under a special permit issued by the Board and under the supervision of the Water System Operator.
- 10.8 Each premise to or for which a separate unmetered fire line connection is provided for sprinkler or hydrant service shall pay therefor a quarterly charge as follows:
 - For 4" service connection -- \$ 50.00
 - For 6" service connection -- \$ 85.00
 - For 8" service connection -- \$100.00
- 10.9 The Township shall pay for all water used by it at the established rates.

SECTION I 1. EXTENSION OF MAINS.

- 11.1 Extension of, or changes in, water mains may be initiated by the Township Board or by petition from property owners. Petitions for the construction of new mains shall be addressed to the Township Board upon blank forms provided for that purpose.
- 11.2 The Township Board may refuse to grant, or may grant the same, and may prescribe the terms and conditions upon which the petition will be granted and may require the written acceptance of such terms and conditions by the petitioners.

- 11.3 If the petition is granted, the Township Board will proceed as promptly as practical with the proposed work under the terms and conditions named. The work will be done at the expense of the property owners unless otherwise stipulated and any and all extensions shall be subject to the provisions of this Ordinance.
- 11.4 Water mains of the water system are under the exclusive control of the Township Board, and all persons, other than agents and employees of the Board, are forbidden to disturb, tap, change, obstruct access to, or interfere with them in any way.
- 11.5 Any person, firm, or corporation installing mains at their own expense shall first submit to the Township Board for its approval complete plans and specifications for such work in accordance with the adopted standards of the Township, prepared by a professional Civil Engineer, licensed in the State of Michigan, at which time, the Township Board shall determine the conditions for such installation.

SECTION 12. GENERAL PROVISIONS.

- 12.1 Should it become necessary for any reason to shut off the water from any section of the water system, the Township Board will endeavor to give timely notice to the users affected thereby, and will insofar as practical, use its best efforts to prevent inconvenience and damage arising from the shut off, but failure to give notice will not render the Township Board responsible or liable for damages that may result therefrom, or from any other cause.
- 12.2 Wherever this Ordinance requires the giving of notice, the same may be given:
- a) Either by personal service of a notice in writing to the person, firm, or corporation to be notified, or, if personal service is not possible, by
 - b) Posting of the notice in some conspicuous place on the premises, and
 - c) By enclosing a copy thereof in an envelope with first class postage prepaid, plainly addressed to the person, firm, or corporation to be notified, at the post office or residence address of such person, firm, corporation, as the same appears on the books of the Board, and depositing the same in any United State Post Office. Notice given by mail shall be conclusively deemed to have been given at the time of mailing.

SECTION 13. SAVING CLAUSE.

- 13.1 If any one or more provisions of this Ordinance shall ever be held by any court of competent jurisdiction to be invalid or unenforceable for any reason, the remaining provisions hereof shall nevertheless be continued in full force and effect, it being expressly recited and declared that such remaining provisions would have been enacted despite the invalidity of such provision or provisions so held to be invalid.
- 13.2 Any person, firm, or corporation violating any of the provisions of this Ordinance, upon conviction thereof shall be fined a sum of not less than ten dollars (\$10.00) and not exceeding one hundred dollars (\$100.00), plus costs, and in the imposition of such fine and costs, the Court may make a further sentence that in default of the payment of the

CERTIFICATION

I hereby certify that this is a true and accurate copy of the resolution passed by the Township Board of the Township of Grant, Keweenaw County, Michigan at their regular meeting held on September 14, 1998 . I further certify that said meeting was held in compliance with P.A. 266 of 1976, being the Open Meetings Act.

TOWNSHIP OF GRANT



By: Harlan W. Wieland, Clerk
Dated 9/14, 1998

AFFIDAVIT OF PUBLICATION

In the matter of Ordinance # 98-02 Grant Township

STATE OF MICHIGAN

COUNTY OF HOUGHTON SS

Mary Jo Stimac

being first duly sworn, says that he/she is the agent of the Publisher of The Daily Mining Gazette, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper in which the order was published on the following dates:

September 19, 1998

Mary Jo Stimac
Agent of the Publisher of The Daily Mining Gazette

Subscribed and sworn before me this 22nd

day of September A.D., 1998

Catherine O'Connell Ricci
Notary Public, Houghton County, Michigan

CATHERINE O'CONNELL RICCI
Notary Public, Houghton County, MI
My Commission Expires Aug. 10, 2002

<p align="center">Copper Co</p> <p align="center">Sponsor</p> <p align="center">Your Low Price Leader</p> <p align="center">econofoods</p> <p align="center">"The Big Name For Value"</p>	<p>ER 14, 1998 COMPLETE COPY</p> <p>NSHIP WATER ON THEREOF;</p> <p>Spagh breadec bread, g</p> <p>CE, WITH THE BOARD, AND S CONTAINED N GOVERNING</p>
<p>Mike Lahti Insurance 400 Elevation St. Hancock (906) 482-6305 <i>Like a good neighbor, State Farm is there.</i></p>	<p>d to establish.</p> <p>NT, County of</p> <p>Hero sa is 1.1 through</p>
<p>Peninsular Gas Co. 307 Sixth Street, Calumet 337-2312</p>	<p>m to the Grant</p> <p>Number 98-01</p> <p>Ham ar fresh choco</p> <p>27 of Act 368</p>
<p align="center">VOLLWERTH'S SAUSAGE</p>	<p>or new service</p> <p>forms required,</p> <p>Lasagna beans, a</p> <p>ttings; requires</p>
<p align="center">Advance-Tec Body Repair Mark Hannon, Owner 206 Sharon Avenue, Houghton 482-4222</p>	<p>operties to one</p> <p>of, or repeated</p> <p>Plumbing Code;</p> <p>Hambur ac</p> <p>capable of year</p> <p>sewer or septic</p>
<p align="center">HANKE Auto Sales Next To The Copper Bowl Ripley</p>	<p>Breade bun, tat</p> <p>quires payment in</p> <p>Wh sites; prohibits</p>
<p align="center">SEARS Houghton 482-7631</p>	<p>requirements, for</p> <p>ges and payment</p> <p>Tony's pizza, tossed</p> <p>pt as specifically</p>
<p align="center">Jilbert Dairy, Inc. Marquette, MI (906) 225-1363</p>	<p>be provided with a</p> <p>es of inspection,</p> <p>ication. Authorizes</p> <p>uties, after proper</p> <p>ntial of the Board.</p>
<p align="center">THURNER BAKERY 319 Fifth Street, Calumet, MI 49913 Phone: (906) 337-3711 Fax: (906) 337-0407 E-Mail: Thurner@comcast.net</p>	<p>Rules 325,1666].</p> <p>State of Michigan</p> <p>mencing work.</p> <p>property owner.</p> <p>r proper notification</p> <p>Chicken and care</p>
<p align="center">Want to see your ad in this box? Call Mary Jo at 482-1500</p>	<p>water at the rate</p> <p>established water</p> <p>French patty, m sliced</p> <p>rg (Section 3.12);</p> <p>Vto exercise normal</p>
<p align="center">Want to see your ad in this box? Call Mary Jo at 482-1500</p>	<p>uch owner-provided</p> <p>ent of meters that</p> <p>Chicken che</p> <p>ct the meter from</p> <p>t, carelessness, or</p> <p>V. Consumer will be</p> <p>for accuracy of the</p>
<p></p>	<p>nnel during normal</p> <p>ating, and repair, if</p> <p>township provided</p> <p>permission of the</p>

GRANT TOWNSHIP RESIDENTS NOTICE OF ORDINANCE ADOPTION

GRANT TOWNSHIP ORDINANCE 98-02

THE FOLLOWING IS A SYNOPSIS OF THE PROVISIONS OF GRANT TOWNSHIP ORDINANCE 98-02, PASSED AT THE SEPTEMBER 14, 1998 REGULAR MEETING OF THE TOWNSHIP BOARD, TO BE KNOWN AS THE OPERATION AND MAINTENANCE ORDINANCE. A COMPLETE COPY OF THE ORDINANCE WILL BE AVAILABLE AT THE GRANT TOWNSHIP OFFICE UPON REQUEST.

AN ORDINANCE PROVIDING FOR THE OPERATION, MANAGEMENT, MAINTENANCE, REPAIR, AND CONTROL OF THE GRANT TOWNSHIP WATER SYSTEM AND ANY EXTENSION THEREOF, ESTABLISHING RULES AND REGULATIONS GOVERNING SAID SYSTEM AND ANY EXTENSION THEREOF AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

ALL PREMISES THAT WERE CONNECTED TO THE COPPER HARBOR WATER SYSTEM ON THE EFFECTIVE DATE OF THIS ORDINANCE, WITH THE EXCEPTION OF THOSE THAT WERE CONNECTED UNDER AN AGREEMENT OF WAIVER GRANTED BY THE COPPER HARBOR UTILITY BOARD, AND WHO ARE NOT OTHERWISE IN VIOLATION OF THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH GROUND WATER CONTROL RULES, AS CONTAINED IN PART 127 OF ACT 368 PA OF 1978 AS AMENDED OF THE MICHIGAN ADMINISTRATIVE CODE, OR OF ANY OTHER MICHIGAN LAW GOVERNING WATER SYSTEMS, SHALL BE DEEMED TO BE IN COMPLIANCE WITH THIS ORDINANCE.

WHEREAS, the Township of Grant has undertaken to operate, manage, maintain, and repair the Grant Township Water System and to establish and collect such charges pertaining thereto as shall be necessary to provide revenues sufficient therefore; and

WHEREAS, this ordinance is adopted in order to carry out the Township's responsibilities; Therefore, THE TOWNSHIP OF GRANT, County of Keweenaw, State of Michigan Hereby ordains:

SECTION 1. DEFINITIONS. Defines the meaning of certain words and phrases set out in the body of this Ordinance in Subsections 1.1 through 1.15; declares the applicability of the verbs "shall", "may", and "will".

SECTION 2. ORGANIZATION AND MANAGEMENT.

2.1 RESPONSIBILITY - Assigns ultimate responsibility for the operation, management, maintenance, and repair of the water system to the Grant Township Board.

2.2 ACCOUNTABILITY - Assigns accountability and limits of authority to all officers, boards, employees and agents of the Township.

2.3 FUNDS DEPOSIT REQUIREMENT - Directs the care and management of all revenues to adhere to the provisions of Ordinance Number 98-01 (Water Rate Ordinance).

SECTION 3. SERVICE PIPES AND SUPPLY PIPE CONNECTIONS.

3.1 GOVERNING STATUTE - Adopts, by reference, The Michigan Department of Public Health Ground Water Control Rules, (Part 127 of Act 368 PA of 1978 as amended).

3.2 APPLICATIONS AND PERMITS - Requires an application in writing, a "tapping permit", and a "Water Users Agreement", for new service connections; provides relief to existing installations, as specified.

3.3 APPLICATION AND PERMIT AVAILABILITY - Requires the Township to provide the necessary Applications, Agreements, and forms required denotes implied agreement by the applicant when signing the required forms.

3.4 GRADE AND QUALITY OF FITTINGS - Sets the requirements for grade, quality and size for supply and service pipes and fittings; requires approval by the Board or its designated representative.

3.5 WATER USE REQUIREMENT - Requires all water used to be from township operated wells; limits connection of multiple properties to one service.

3.6 EXCESSIVE USE OR WASTE - Prohibits excessive or unnecessary use or waste of water; provides penalty for disregard of, or repeated violations.

3.7 PLUMBING CODE REQUIREMENT - Establishes requirement to adhere to installation and quality standards of the State Plumbing Code provides homeowner exception in exercising constitutional privilege.

3.8 YEAR ROUND PREMISES INSTALLATIONS - Sets minimum cover and inspection requirements for premises that are or will be capable of year round occupancy.

3.9 SEPARATION FROM SEWER LINES - Establishes minimum separation, installation requirements for service pipes from all sewer or septic lines; provides alternatives in bedrock condition.

DEPTH OF COVER - Restricts service line installation under driveways or areas where freezing will be a problem.

3.10 METER GATE VALVE REQUIREMENTS - Sets standards and requirements for gate valves on meter connections.

3.11 SUPPLY PIPE SIZE REQUIREMENTS - Sets supply pipe size determination standards.

3.12 INSTALLATION CHARGES - SUPPLY PIPES & METERS - Establishes charges for installation of supply pipes and meters; requires payment in advance.

3.13 OVERSIZED SUPPLY PIPES - Provides for determining the charge for supply pipes larger than one inch.

3.14 NEW CONSTRUCTION FLAT RATE PAYMENT - Establishes charges and limits time for water service to new construction sites; prohibits waste or excessive use.

3.15 OBSTRUCTIONS TO SUPPLY PIPES - Prohibits supply pipe installation where obstructions are present.

3.16 INSTALLATION REQUIREMENTS - SUPPLY PIPES - Establishes conditions for supply line installation, fee payment, permit requirements, for supply pipes from the main to the property line; refers to Ordinance 98-01 (Water Rate Ordinance) for fees and charges and payment thereof.

3.17 MAINTENANCE RESPONSIBILITY - SUPPLY PIPES - Sets responsibility for supply pipe maintenance and installation.

3.18 RESTRICTED ACCESS TO SUPPLY PIPES AND VALVES - Prohibits interference with, or turn-on/turn-off by users except as specifically authorized.

3.19 METER REQUIREMENT - Requires all service to be metered, prohibits bypassing meters.

SECTION 4. INSPECTION AND INSPECTORS

4.1 EMPLOYEE IDENTIFICATION - Requires all representatives of the Township Board required to enter private premises to be provided with a badge or other identification, and to carry and exhibit same when entering private premises.

4.2 ACCESS TO USERS PREMISES - Requires owner/occupant to allow reasonable access to all premises for purposes of inspection examination, meter verification or other necessary water department related reasons, after presentation of proper identification. Authorizes discontinuing service to the premises if access denied or the representative is hindered from carrying out his/her duties, after proper notification.

4.3 UNAUTHORIZED USE OF IDENTIFICATION - Prohibits unauthorized persons from possessing or using any badge or credential of the Board Requires surrender of the identification upon resignation or dismissal from Township employment.

SECTION 5. WELL ABANDONMENT (PLUGGING)

5.1 UNUSED WATER WELLS - Requires abandonment of unused water wells on users premises. [MDPH Ground Water Control Rules 325,1666].

5.2 PLUGGING OF ABANDONED WELLS - Requires plugging of abandoned wells to be done by a well driller licensed by the State of Michigan under Act 294. Requires contractor to provide the Board with a list of materials used and methods employed, before commencing work.

5.3 RESPONSIBILITY FOR PLUGGING WELLS - Places requirement for abandoning wells, along with all associated costs, on the property owner.

5.4 PENALTY FOR FAILURE TO ABANDON - Sets sixty (60) days limit on abandoning; authorizes discontinuance of service after proper notification for failure to comply.

SECTION 6. WATER METERS.

6.1 METERED SERVICE - Requires all service connections, except separate fire connections, to be metered and paid for water at the rate established by the Township Board. Except as provided in Subsection 3.14, prohibits providing water at other than the established water rate.

6.2 CHARGES FOR METERS AND SUPPLY PIPES - Specifies what will be included in the supply pipe and meter installation charge (Section 3.12) Requires that the meter remain the property of the Township and will be under Township control.

6.3 MAINTENANCE OF WATER METERS - Places responsibility for maintenance of water meters on the Township; requires user to exercise normal care of meters in use on their premises, provides charge for negligent damage to meters.

6.4 OWNER-SUPPLIED METERS - Allows use of owner-provided meters that are compatible with the township system; places such owner-provided meters under the same controls maintenance requirements as township provided meters. Requires immediate replacement of meters that fail to meet operational or compatibility standards.

6.5 PROTECTION AND CARE OF METERS - Requires the owner of the premises where a water meter is installed to protect the meter from damage by freezing, hot water, and from injury or interference. Allows repair or maintenance expenses caused by neglect, carelessness, or deliberate vandalism to be charged against and collected from the owner or occupant.

6.6 METER MALFUNCTIONS - Provides for "averaging" charges in cases where a water meter fails to function or to register. Consumer will be