

**ST. IGNACE TOWNSHIP
ORDINANCE NO. 31
ESTABLISHING CHARGES**

AN ORDINANCE ESTABLISHING CHARGES FOR USERS OF ST. IGNACE
TOWNSHIP WASTEWATER DISPOSAL SYSTEM FACILITIES.

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SECTION 100 - PREAMBLE

The fees, rates and charges for using St. Ignace Township wastewater disposal system facilities shall be upon the conditions and in the amounts as established by resolution of the Township Board.

SECTION 200 - 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.

201. ADMINISTRATIVE COST means the cost to administer the wastewater disposal system, including billing and collecting charges, audits of accounts, and insurance.

202. BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND) means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees C., expressed in milligrams per liter, as determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.

203. CAPITAL COST means all reasonable and necessary costs and expenses incurred by the Township in planning, designing, financing and constructing disposal system facilities, including, but not limited to costs and expenses for obtaining necessary permits, licenses, approvals, and grants for design and construction costs; fees for legal and consulting services; and acquisition.

204. **COMMERCIAL USER** means those commercial establishments, business establishments, or establishments seeking profit which contribute normal domestic sewage strength waste to the treatment facility.
205. **DEBT SERVICE** means the principal and/or interest necessary to pay bonded or other indebtedness related to capital costs.
206. **DEBT SERVICE CHARGE** means the charge related to the principal and interest necessary to pay bonded or other indebtedness related to capital costs for facilities owned or operated by the Township.
207. **DOMESTIC USER** or **RESIDENTIAL USER** means that discharge coming from domiciles in the service area which contribute that strength equal to or less than normal domestic waste.
208. **FLOW** means the quantity of sewage expressed in gallons or cubic feet per twenty-four (24) hours.
209. **GENERAL MUNICIPAL FLOW** means the total sewage flow discharged to the wastewater disposal system facilities, minus the flows from industrial users, other municipalities, and contract users and therefore, includes sanitary wastes and infiltration. General municipal flow includes flow from domestic users, commercial users, institutional users and government users.
210. **GENERAL MUNICIPAL USER** means any user discharging sewage to the general municipal flow other than industrial users and other contract users. This category of user includes as subcategories: domestic users, commercial users, institutional users, and governmental users, which are not contract users.
211. **GOVERNMENTAL USER** includes those establishments who function in the administration and/or execution of governmental programs as well as the office of executives, legislative bodies and agencies which provide general support services for government.
212. **INDUSTRIAL USER** means a user who discharges to the municipal wastewater disposal system liquid wastes resulting from the processes employed in industry, manufacturing or from the development of any natural resource. Industrial wastewater discharges are typically more concentrated than normal domestic strength wastewaters.
213. **INSTITUTIONAL USER** means those establishments engaged in activities of a non-economic nature, frequently being the performance of services for the general public (health, educational, social), and not classified as a governmental or commercial user in this ordinance.
214. **LOAD** means quantities of sewage characteristics such as BOD, SS, and other constituents as expressed in milligrams per liter (mg/l) or pounds per twenty-four (24) hours (lbs./24 hours).
215. **NORMAL DOMESTIC STRENGTH WASTE** shall mean a liquid waste that is generated by a typical residence, with an assumed concentration of 200 mg/l BOD, 240 mg/l suspended solids, and 30 mg/l ammonia.
216. **OPERATION AND MAINTENANCE COSTS (O & M COSTS)** means the expense related to the costs of the operation, maintenance, replacement and administration of the wastewater disposal system facilities.

217. **REPLACEMENT COSTS** means costs related to the expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the useful life of the wastewater disposal system facilities for which such facilities were designed and constructed. The term "operation and maintenance" includes replacement.

218. **RESIDENTIAL USER** means a user of the treatment works whose premises or buildings are used primarily as a domicile for one or more persons including dwelling units such as detached, semi-detached, rural houses, mobile homes, and multiple family dwellings.

219. **SANITARY WASTES** means the liquid and water carried wastes discharged from sanitary plumbing facilities.

220. **SEWAGE** means the liquid carried waste products from whatever source derived, together with such groundwater infiltration and surface water as may be present.

221. **SEWER** means a pipe or conduit for carrying sewage, industrial waste and other waste liquids.

222. **SEWER SERVICE CHARGE** means the aggregate of all the charges including the user charges, debt service charges and other sewer related charges that are billed periodically to users of the wastewater disposal system facilities.

223. **SEWER SYSTEMS** means pipelines or conduits, pumping stations, force mains, and all other devices and appliances appurtenant thereto, used for collecting or conducting sewage.

224. **SIGNIFICANT INDUSTRIAL USER** means any industrial user who discharges sewage which constitutes greater than ten percent (10%) of the design flow or design pollutant loading of the wastewater treatment plant.

225. **SS (DENOTING SUSPENDED SOLIDS)** means solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering, in accordance with the latest edition of Standards for the Examination of Water and Wastewater.

226. **TOWNSHIP** means Township of St. Ignace, Mackinac County, Michigan.

227. **USER** means any person, firm, corporation, or other entity, whether municipal or otherwise, discharging sewage into the Township wastewater disposal system.

228. **USER CHARGE** means a charge levied on users of wastewater disposal system facilities for the cost of operation and maintenance and debt service of such facilities.

229. **USER CLASS** refers to one of the following: residential user, commercial user, industrial user, institutional user and/or governmental user.

230. WASTEWATER DISPOSAL SYSTEM means any facility, appurtenant structures, or arrangement of devices used for the treatment of sewage, and includes the sewer system and any private disposal systems improved by federal funds obtained through the Township.

SECTION 300 - GENERAL

It is the purpose of this ordinance to recover from the users of the wastewater disposal system facilities, on an equitable and proportional basis, the overall share of the wastewater disposal system facilities costs attributed to such users, and to provide funds for the operation and maintenance, debt service, administration, replacement and improvements of the wastewater disposal system.

301. The sewer service charges provided in this section are hereby levied and assessed upon each parcel of land, building or premises having any connection with, or having a discharge into, whether directly or indirectly, the sanitary sewer system. No free services will be granted. Equal rates of treatment for all users will be enforced based upon the user charge system.

302. The Township Board shall determine and fix by resolution, the unit costs for use of the wastewater disposal system facilities on the basis of number of users, flow, BOD, SS, ammonia and any other pollutant, taking into consideration the cost of treatment of sewage and may increase or decrease such cost as often and in such amounts as may reasonably be required to accomplish the purposes of this section based upon the user charge system.

303. The Township Board shall compute the amount due the Township for sewer user charges and render a statement thereof, at the intervals determined by resolution of the Township Board to the owner or occupant of any premises using the wastewater disposal system facilities or any component thereof. Such charges shall be pursuant to the most recent resolution establishing charges and rates in accordance with this ordinance. All amounts due hereunder shall be payable at the Township office or other designated locations. Equal rates will be charged for all users of the system except as otherwise provided in this Ordinance.

SECTION 400 - BILLING PRACTICE

401. The debt service charge, operation and maintenance charge, and any required surcharge provided in this ordinance shall be included as separate items on the periodic billing statement. The bill will be payable in accordance with the schedule established by the Township.

402. All portions of the sewer service charge shall be payable at the time the bill for same is issued, and if not paid within 30 days of issue shall be delinquent.

403. If any billing for sewer or sewer services shall remain unpaid the amount thereof shall constitute a lien on the property to which such service is provided. If any bill remains unpaid for 60 days from the date of issue, then the Township Clerk shall serve notice, by registered mail to the sewer user with return receipt requested that if the amount owed is not paid in full within 20 days from mailing of such notice the sewer service will be discontinued until payment is made in full, including any charges for shutting off and reinstating sewer service. Any sewer service charges delinquent for six months or more shall be certified annually, on March 1, by the Clerk to the Assessor who shall place the same on the next tax roll of the Township. Such charges so

assessed shall be collected in the same manner as general Township taxes. In addition, the Township may, at its discretion, require an advance deposit as a protection against possible future delinquencies in an amount not to exceed a reasonable estimate of the two largest consecutive

billings. The deposit shall be refunded without interest when service is discontinued by the depositor or if the Township Board sooner decides the deposit is no longer required.

404. In the event of failure to pay sewer service charges after they become delinquent, the Township shall have the right to remove or close sewer connections and enter upon the property for accomplishing such purposes.

The expenses of such removal or closing, as well as the expense of restoring service, shall likewise be a debt to the Township and lien upon the property and may be recovered by civil action in the name of the Township against the property owner, the person, or both.

Sewer services shall not be restored until all charges, including the expense of removal, closing and restoration, shall have been paid.

Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

405. The Township shall annually notify each user in conjunction with a regular bill of the breakdown of the rates and user charges related to the wastewater disposal system.

SECTION 500 - FUNDS FROM SEWER SERVICE CHARGES

The funds received from the collection of the charges authorized by the ordinance shall be deposited as collected in the Wastewater Disposal System Fund and shall be used for debt service, operation and maintenance, replacement, administration, and improvements to the wastewater disposal system except that the portion of any such funds which is limited to a particular use by applicable State and Federal rules or regulations shall be used in compliance with such restrictions. Separate accounts for each activity shall be maintained.

SECTION 600 - UNIT COST CATEGORIES

The cost to be recovered pursuant to this ordinance and the costs to be fixed by the Township in Subsection 302 shall be determined and allocated in each of the following categories:

601. "Category A," Debt Service for Wastewater Disposal System Facilities Project: This shall be the amount of the annual interest and principal cost necessary to retire the bond or bonds issued to pay for the local share of any necessary capital improvement projects along with any other interest and principal related to capital costs for facilities owned by the Township.

602. "Category B," Operation and Maintenance -- Wastewater Disposal System: This shall be the annual cost of operating and maintaining and administering the wastewater disposal system including an amount for replacement costs of equipment, which shall be segregated in a separate fund.

SECTION 700 - DEBT SERVICE CHARGES

701. The debt service charges for capital improvement projects (Subdivision 601) shall be determined by the flow measured by the water meter at each user's premises. The unit cost shall be calculated by dividing the debt service cost by the total metered water flow sold to users of the wastewater disposal system.

SECTION 800 - MEASUREMENTS OF STRENGTH AND VOLUME

801. When required by the Township, each user who discharges abnormally high strength or high volume wastewater shall install suitable wastewater measuring, sampling and analyzing devices in compliance with the Sewer Use Ordinance.

802. The Township shall not require the installation of measuring devices where the Township determines that a user has a wastewater with concentrations of BOD and ammonia that are no greater than the constituents in normal domestic strength waste and a satisfactory method and location exists for sampling and determining the total daily sewage flow. In such cases, the charges to those users shall be based on the flow rates as determined and on BOD, suspended solids, and ammonia load equal to the average load of the normal domestic strength waste.

803. Each user required by the Township to install and maintain wastewater monitoring facilities, shall submit to the Township a monthly report of daily flow, BOD, suspended solids, and ammonia or other constituent on a form approved by the Township. This report shall be used for billing purposes and shall be submitted prior to the 15th day of the subsequent month.

804. The Township shall have the right to periodically or continuously inspect the monitoring facilities, to measure, sample and analyze the samples obtained by the user. The Township may, at its direction, charge the user for any monitoring service performed, such charges shall be at cost.

In the event of any discrepancy between the flows or loads determined by the Township and the user, the values determined by the Township shall be used for the billing purposes.

SECTION 900 - OPERATION AND MAINTENANCE CHARGES

901. The charge for operation and maintenance shall be determined by the flow measured by the water meter at each user's premises and in cases of use by other than general municipal users, by the pollutant concentrations of the sewage.

The unit cost for flow shall be calculated by dividing the Category B (Operation and Maintenance) Cost by the total metered flow sold to users of the wastewater disposal system.

902. Users discharging wastewater exceeding the BOD, suspended solids (SS) and/or ammonia parameters of the general municipal flow shall pay an additional charge pro rata. The unit cost for BOD, SS, and ammonia shall be calculated by apportioning the Category B (Operation and Maintenance) Cost to flow, BOD, SS, and ammonia; and then dividing each cost so apportioned by the total billable flow, BOD, SS, and ammonia received at the wastewater treatment facility in that

year. The user charge shall be the sum of the products obtained by multiplying the unit costs as determined above by the user's actual flow, BOD, SS, and ammonia during the billing period.

903. In addition to the charges provided for herein, the Township must impose a surcharge on any user pursuant to the Sewer Use Ordinance or based on some other pollutant loading factor which requires special treatment at the wastewater treatment works.

904. Facilities not having a water supply that is metered or if the meter readings are not available, shall be charged based on the flow anticipated from a typical single family dwelling. The typical single family dwelling shall be assigned a flow value of 1 and shall pay for the wastewater disposal system use on a fixed monthly charge basis. Using this basic charge, sewer service charges for the other than residential dwellings shall be calculated by the Township as follows:

- a. Condominiums, duplex units and apartments shall have a value of 1.0 for each living unit.
- b. Mobile homes shall have a value of 1.0.
- c. Commercial and industrial building units shall be assigned a minimum value of 1 living unit.
- d. Other buildings and structures not listed in the table below shall be assigned a value of 1 for each multiple of the estimated annual wastewater discharge anticipated from the typical single family dwelling.
- e. All non-family dwellings may be required to install and maintain water meters at no charge to the Township. The Township reserves the right to require annual tests to insure accurate flow.

The following is a listing of standards used in assigning the flow value for various commercial, public and institutional facilities.

TYPE OF FACILITY	PARAMETER	FLOW VALUE
Automobile Service Center	2 service bays	1
Barber Shop	each	1
Boarding House	3 beds	1
Cabins, Modern(rental units & part of a resort	3 units	2
Car Wash	each	30
Car Wash (self service)	1 stall	1
Churches	250 seats	1
Cocktail Lounge	25 seats	1
General Office Building	2,400 sq.ft.	1
Laundromats or Laundry Rooms	Floor Space 1 machine	1
Motels and Hotels(assume 2 persons per room)	2 rooms	1
Resorts (with housekeeping)	3 units	2

Retail Stores	3,000 sq.ft Floor Space	1
Schools (Elementary)	20 students	1
Schools (Secondary)	15 students	1
Service Station (gas pumping only)	each	1
Service Station w/service center and car wash	each	8
Swimming Pools	27 swimmers	1
Warehouses	14 employees	1

905. There shall be a minimum monthly sewer service charge that shall be equal to the debt service charge and the operations and maintenance charge for a flow specified by resolution of the Township Board.

906. Unmetered users may install their own meter and be charged in the same manner as metered customers if the meter is installed and maintained pursuant to Township rules and regulations.

907. If a substantial portion of the water utilized by any user is not discharged into the sewer system, the volume of such water shall be deducted in computing the sewer use charge, provided a separate meter is installed to measure such volume. The user desiring to install such separate meter shall make application and payment for the meter to the Township and engage, at their own expense, a plumber to affect the necessary piping changes and install the couplings so the meter can be set. The user may also make direct payment to the distributor for the necessary meter provided it is approved by the Township.

SECTION 1000 - VALIDITY

1001. All ordinances or parts of ordinances or regulations in conflict with this ordinance are hereby repealed.

1002. Invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other section, clause, sentence, or provision of this ordinance which can be given effect without the invalid part or parts.

1003. Public Notice shall be given in accordance with applicable provisions of the State and Federal law prior to adoption of any amendments to this ordinance.

SECTION 1100 - EFFECTIVE DATE

1101. DATE EFFECTIVE. This ordinance shall take effect and be in force from and after the 9th day of May, 2002.

1102. DATE OF ENACTMENT. Passed and adopted by the Township Board of the Township of St. Ignace in the County of Mackinac and the State of Michigan on this 9th day of May, 2002.