

STATE OF MICHIGAN
COUNTY OF GOGEBIC
TOWNSHIP OF WAKEFIELD

SUMMARY OF INTRODUCTION OF PROPOSED ORDINANCE NO. 2023-1

Sewer Rates and Charges Ordinance Amendment

An ordinance to amend and restate Ordinance No. 18 entitled 'AN ORDINANCE TO PROVIDE FOR RATES TO BE CHARGED FOR THE USE OF THE SECTION 32 SEWER AUTHORITY SEWAGE DISPOSAL SYSTEM NO. 1; TO PROVIDE FOR MANDATORY CONNECTION TO SAID SYSTEM, AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO SAID SYSTEM' and Ordinance No. 19 entitled "AN ORDINANCE TO AMEND SECTION B(1) OF ORDINANCE NO. 19, THE RATE AND MANDATORY CONNECTION ORDINANCE" of the Township of Wakefield, County of Gogebic, State of Michigan (the "Township") in their entirety.

The purpose of the Proposed Ordinance is to update the two (2) ordinances, revise the billing process, and increase the quarterly base sewer service charge to \$165 per single-family residence equivalent and fix the sewer connection charge at \$4,500 per single-family residence equivalent in order to raise sufficient revenue for a Section 32 sewer replacement project.

At a meeting on Tuesday, May 2, 2023 at 5:30 p.m., the Wakefield Township Board of Trustees will consider adoption of Proposed Ordinance 2023-1. The meeting will take place in the Wakefield Township Hall, 414 North County Road 519, Wakefield, MI 49968.

A full copy of Proposed Ordinance 2023-1 is posted and available in the Wakefield Township Clerk's Office, 414 North County Road 519, Wakefield, MI 49968 and the Township's website at www.wakefieldtownship.com.

**JENNIFER AHONEN
WAKEFIELD TOWNSHIP CLERK**

NOTE: The Wakefield Township will provide necessary, reasonable aids and services at all meetings to individuals with disabilities. All such requests must be made at least five days prior to said meeting. Individuals with disabilities requiring auxiliary aids or services should contact Wakefield Township by writing or calling the following: Letter: Wakefield Township Clerk's Office, 414 North County Road 519, Wakefield, MI 49968. Email: clerk@wakefieldtownship.com Phone: 906-224-8551.

DRAFT
TOWNSHIP OF WAKEFIELD
ORDINANCE NO. 2023-1

An ordinance to amend and restate Ordinance No. 18 entitled "AN ORDINANCE TO PROVIDE FOR RATES TO BE CHARGED FOR THE USE OF THE SECTION 32 SEWER AUTHORITY SEWAGE DISPOSAL SYSTEM NO. 1; TO PROVIDE FOR MANDATORY CONNECTION TO SAID SYSTEM, AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO SAID SYSTEM" and Ordinance No. 19 entitled "AN ORDINANCE TO AMEND SECTION B(1) OF ORDINANCE NO. 19, THE RATE AND MANDATORY CONNECTION ORDINANCE" of the Township of Wakefield, County of Gogebic, State of Michigan (the "Township") in their entirety.

Whereas, the Township has determined that it is in the best interests of the Township to amend and restate Ordinance No. 18 and Ordinance No. 19 in their entirety.

NOW, THEREFORE, THE TOWNSHIP OF WAKEFIELD, MICHIGAN, ORDAINS:

Section I. Amendment and Restatement of Ordinance No. 18 and Ordinance No. 19. Ordinance No. 18 and Ordinance No. 19 are hereby amended and restated in their entirety and shall read as follows:

SECTION 1. PROVISION OF SANITARY SEWAGE SERVICE

The Township of Wakefield, County of Gogebic, State of Michigan (the "Township") hereby determines for the health, safety, welfare, and best interests of persons residing and doing business in the Township to continue to provide for the collection, transport, treatment, and disposal of sanitary sewage from all developed properties located in the within the district described on the attached Exhibit A.

SECTION 2. MANAGEMENT OF SYSTEM

Pursuant to the Township's contract with the Section 32 Sewer Authority, the operation, management, maintenance and repair of the System, including collection and disposition of the revenues thereof, shall be under the supervision and control of the Authority.

SECTION 3. RATES, FEES AND CHARGES FOR SEWER SERVICES

There shall be and is hereby established the following user charge system for connection to and use of the services supplied by the Section 32 Sewer Authority Sewage Disposal System No. 1 (the "Sewer System" or the "System").

- A. Quarterly Base Sewer Service Charge. The quarterly base sewer service charge for the use of and for the services supplied by the System shall be \$165 per single-family residence equivalent effective May 2, 2023. Such charge shall be levied upon all users of the Section 32 Sewer System.

- B. Readiness to Serve Charge. The Township Board may by resolution establish a readiness to serve charge to be levied upon all users of the Sewer System to pay the costs of maintaining the System and ability to readily serve such users.
- C. Debt Service Charge. The Township Board may by resolution establish a debt service charge to be levied upon all users of the Sewer System to pay principal, interest, and administration costs of retiring debt incurred for the System.
- D. Surcharges. If the character of the sewage of any manufacturing or industrial plant or any other building or premises is such as to impose any unreasonable burden upon the sewers or the System or upon the sewage treatment plant in excess of the maximum when it is prescribed by resolution of the Township Board, an additional charge shall be made and assessed over and above the regular rates. The Township Board may establish surcharges by resolution.
- E. Sewer Connection Charge. Based on its investigation, the Township Board hereby finds that to ensure the stability and viability of the Sewer System for the benefit of its users, each new user connecting to the Sewer System shall pay a connection charge as provided in this section to provide sufficient service to all users of the Sewer System.
- (1) All new users connecting to Township owned or privately owned sewers served by the Sewer System after the effective date of this section shall pay a connection charge of \$4500 per single-family residence equivalent. Each premise other than a single-family residence shall pay a connection charge multiplied by a factor representing a ratio of sewage use by such class of premise to normal single-family residential use, as reflected in Exhibit B. The Township board may provide that such connection charge may be payable in installments under terms set by resolution of the Township Board.
 - (2) The connection charge shall be paid in advance of a land use permit being issued or connection being installed to an existing building.
 - (3) Whenever a building use changes to another use, the Township shall review the proposed use to determine if an additional connection charge should be assessed based upon the change in use.
 - (4) An additional connection charge will be levied for existing buildings if the renovation or additional usage requires a larger service line than presently exists or if the changed use will result in an increase in impact or flow contribution to the Sewer System. The size of service line must meet requirements of applicable plumbing and building codes. When an existing building is demolished and a new structure erected or a new

addition is made to an existing structure, connection charges will be levied based on the usage criteria in this ordinance.

- (5) In the event a user challenges the assignment of the connection charge, the user shall pay the amount required and must, at the same time, notify the Township that the same is being paid under protest.
- (6) If the connection charge relates to an increase in demand on capacity, the Township shall credit against the specific amount of the connection charge the amount of any connection charge previously paid for connection of that property to the Sewer System.

F. New or Replacement Connections to the Sewer System.

- (1) Before a new or replacement building sewer line is installed, the property owner shall obtain a permit from the Township. The fee for said permit shall be in an amount as established by resolution of the Township Board, and the fee shall be paid prior to the commencement of work.
- (2) Upon specific approval of the Township, the permit holder shall engage a competent contractor to install the connecting line between his or her property line and the Township sewer. All such work shall be fully inspected by the Township, and only a licensed contractor shall make the actual tap into the Township sewer, using approved methods and materials. All tap charges shall be estimated by the Township and paid in advance of a permit being issued or the tap being permitted.
- (3) Where cutting of concrete or blacktop street surfaces is required, an additional deposit shall be made equal to the cost of making such permanent pavement repairs and replacements as are necessary to restore the street to the same condition it was in before the cutting. The deposit amount shall be determined by the Supervisor or his or her designee and shall be paid before the work begins. Upon completion of the repairs and replacements, the Township shall inspect the work to assure that the street has been restored to its prior condition in good and workmanlike manner. The deposit may be refunded by the Township subsequent to such inspection.

- G. Enforcement. Charges imposed on any premises for the use and benefit of the System and sewage use charges shall be a lien thereon as such charges become due and payable. On the 1st of September the Township Treasurer shall certify any unpaid charges which have been delinquent 3 months or more, together with interest and penalties through the next succeeding March 1 to the Township Board which shall cause such delinquent amount to be entered upon the next December 1 tax roll against the premises and such

delinquent amount shall be collected in the same number as provided in respect to taxes assessed upon such roll.

SECTION 4. NO FREE SERVICE

No free service shall be allowed for any user of the Sewer System. The Sewer System shall not furnish free service to the Township or to any individual, firm or corporation, public or private, or to any public agency or instrumentality.

SECTION 5. BILLING

Pursuant to the Township's contract with the Section 32 Sewer Authority, the Authority shall render bills for all rates, fees, or charges related to services provided by the System and shall collect all monies due therefrom.

- A. Bills for the rates, fees and charges as herein established shall be sent quarterly by the Authority to users of the Sewer System. All bills shall be due and payable upon receipt and shall be paid at the office of the Authority. All charges remaining unpaid ten (10) days following the due date shall subject to an additional late charge of ten percent (10%) of the unpaid balance.
- B. In the event a utility bill is paid by check which is later returned unpaid by the financial institution, an additional service charge in an amount determined by resolution of the Township Board shall be assessed to the account.
- C. In the event that any charges for service of the System remain unpaid thirty (30) days following the due date, the Township shall have the right to shut off the water supply for the premises affected. Such water service shall only be restored after full satisfaction of all outstanding charges and upon payment of a water restoration charge in an amount determined by resolution of the Township Board.
- D. The charges for services provided by the System are, under the provision of Act 94, Public Acts of Michigan, 1933, as amended, made lien on all premises served thereby. If any lot, parcel of land or premises served by the Sewer System are delinquent for three (3) months, the Authority official in charge of the collection thereof shall certify to the tax assessing officer of the Township the fact of such delinquency, whereupon such charge shall be entered upon the next Township tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general Township taxes.
- E. In all cases where a tenant is responsible for the payment of charges for service, the landlord shall furnish to the Township a true copy of the lease or other contract evidencing the tenant's obligation to pay charges for sewer service. If the tenant fails to pay charges for the use of the System, the delinquent charges shall not become a lien against the premises, the Township shall, however, cease to provide service to the premises until the

tenant pays the delinquent charges in full and pays an additional cash deposit of not less than three (3) months' service as security for payment of future charges for services.

SECTION 6. RATE REVISIONS

The Township Board may amend any of the rates, fees, or charges charged for services provided by the Sewer System by resolution at any time when review of such rates, fees, charges, costs of service, treatment or other factors related thereto indicate a rate change would be in the best interests of the Sewer System to ensure sound financial operation, maintenance and administration of the System.

SECTION 7. MANDATORY CONNECTION TO SEWER REQUIRED

- A. The owner of any structure located within the district described on the attached Exhibit A is hereby required at his or her expense to connect to the available public sanitary sewer system at the earliest reasonable date and in no event later than ninety (90) days after the mailing or posting on such premises of official notice to connect.
- B. As used in this section, "available public sanitary sewer system" means a public sanitary sewer system located in a right of way, easement, highway, street, or public way which crosses, adjoins, or abuts upon the property and passing not more than 200 feet at the nearest point from a structure in which sanitary sewage originates.
- C. As used in this section, "structure in which sanitary sewage originates" or "structure" means a building in which toilet, kitchen, laundry, bathing, or other facilities which generate water-carried sanitary sewage are used or are available for use for household, commercial, industrial, or other purposes.

SECTION 8. ADDITIONAL PROVISIONS

- A. New Connections. A request for a new sewer service connection shall be submitted to the Wakefield Township office in writing stating the address, size and owner of the proposed sewer service. The Township board shall set the connection fees based on a review of the cost to install the sewer service connection within the township right-of-way. The Township will facilitate the installation of the sewer system components within the Township right-of-way up to the property line.
- B. Let Runs. Wakefield Township is responsible for the integrity of the sewer collection within the right-of-way. Sewer services that are located on private property are the responsibility of the property owner. A request for a let run shall be submitted to the Wakefield Township office for review and approval. Let run requests will only be granted for properties that have water services freeze issues within Township right-of-way. Water service freezing issues within private property will not be granted a let run designation. If a let run

designation is granted, the Township shall bill the property owner their average sewer bill, to be determined by Wakefield Township.

- C. Tampering Fine. If an individual is found to have tampered with the sewer system, a fine in the amount set by the Township Board, from time to time, for such tampering shall be assessed against the individual.

SECTION 9. CONFLICT AND SEVERABILITY

All Ordinances, resolutions and orders, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of this Ordinance and each subdivision of any section hereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

SECTION 10. PARAGRAPH HEADING

The paragraph headings in this Ordinance are furnished for convenience or reference only and shall not be considered to be a part of this Ordinance.

SECTION 11. PUBLICATION AND RECORDATION

This Ordinance shall be published in full in a newspaper of general circulation in the Township qualified under State law to publish legal notices promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signature of the Supervisor and the Township Clerk.

SECTION 12. EFFECTIVE DATE

This Ordinance is hereby determined by the Township Board to be immediately necessary for the preservation of the peace, health and safety of the Township and shall be in full force and effect from and after its passage and publication as required by law.

SECTION 13. INSPECTION

A copy of this Ordinance shall be available for purchase or inspection during regular business hours at the Township Office, 414 N. County Road 519, Wakefield, Michigan 49968.

SECTION 14.

This Ordinance shall be published once, in full, in the Wakefield News, a newspaper of general circulation within the boundaries of the Township and qualified under State law to publish legal notices, promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Township and

such recording authenticated by the signatures of the Supervisor and Township Clerk.

SECTION 15.

This Ordinance shall become effective immediately upon its adoption.

SECTION 16. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after publication, in accordance with applicable law.

Adopted and approved by the Township Board of the Township of Wakefield, MI, this _____ day of _____, 2023.

Dated: _____

MANDY LAKE, Township Supervisor

Dated: _____

JENNIFER AHONEN, Township Clerk

CERTIFICATION OF ADOPTION

I, Jennifer Ahonen, Wakefield Township Clerk, hereby certify the above Ordinance, being the Wakefield Township Sewer Connection Ordinance, No. 18, of the Township of Wakefield, Gogebic County, MI, was duly adopted by the Wakefield Township Board at a regular meeting of the Board held on the _____ day of _____, 2023, with the following votes thereon:

Ayes: _____

Nays: _____

Absent: _____

Jennifer Ahonen, Township Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF GOGEBIC)

Subscribed and sworn to before me
_____ day of _____, 2023.

_____, Notary Public
Gogebic County, Michigan
My Commission Expires: _____

PROOF OF PUBLICATION

On _____, 2023, the entire text of this Ordinance was published in the
Wakefield News, by me as Township Clerk. Further, on _____, 2023, I filed the full
text of this Ordinance with the Gogebic County Clerk.

Jennifer Ahonen, Township Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF GOGEBIC)

Subscribed and sworn to before me
_____ day of _____, 2023.

_____, Notary Public
Gogebic County, Michigan
My Commission Expires: _____

Exhibit A

SECTION 32 SEWER AUTHORITY

Beginning at the Section corner common to Sections 5, 6, 31 and 32, T47N, R45W, Wakefield Township, Gogebic County, Michigan; thence South along the West line of Section 5 to the North 1/4 point; thence West along the North line of the Southeast 1/4 - Northeast 1/4 Section 6 to the Northwest corner; thence South along the West lines of the Southeast 1/4 - Northeast 1/4 Section 6 and the Northeast 1/4 - Southeast 1/4 Section 6 to the Southwest corner of the Northeast 1/4 - Southeast 1/4 Section 6; thence East along the South line of the Northeast 1/4 - Southeast 1/4 Section 6 to the Southeast corner; thence North along the East line of the Northeast 1/4 - Southeast 1/4 Section 6 to the Northwest corner of Lot 1 of the Indian Hills Subdivision plat; thence East along the North line of lot 1 to the Northeast corner; thence North along the West line of Lot 7 to the Northwest corner of said lot; thence East along the North lines of Lots 8, 9 and 11 to the Southwest corner of Lot 12; thence along the West lines of lots 12 and 13 to the Northwest corner of lot 13; thence East along the North line of lot 13 to the East side of Sundance Road, thence South along the East line of Sundance Road to the Northwest corner of lot 14; thence east along the North line of lot 14 to the West line of lot 15; thence North along the West line of lot 15 to the North line of Thunderbird Lane; thence Westerly along the North line of Thunderbird Lane to the West line of Sundance Road; thence South along the West line of Sundance Road the North line of Apache Drive thence west along the North line of Apache Drive to the extension of the West line of lot 13; thence North along the extension of the West line of lot 13 to the extension of the North line of Indian Hills No. 2 Subdivision; thence East along the North line of said Subdivision to the East line of Southwest 1/4 - Northwest 1/4 Section 5; ~~thence North along the East lines of the West 1/2 - Northwest 1/4 Section 5~~ and the Southwest 1/4 - Southwest 1/4 Section 32 to the Northeast corner of Southwest 1/4 - Southwest 1/4, Section 32; thence West along the North lines of the Southwest 1/4 - Southwest 1/4 Section 32 and the Southeast 1/4 - Southeast 1/4 - Section 31 to the North-South centerline of the Southeast 1/4 - Southeast 1/4 Section 31; thence South along the North-South centerline to the South line of Section 31; thence East on the South line Section 31 to the Point of Beginning.

Exhibit B

SCHEDULE I - USER CHARGE UNITS

Occupation Use	Units	Unit Factor
Single Family Residence	1.0	per residence
Auto Dealers - New and/or Used	1.0	per premise plus 0.25 per 1,000 sq. ft. of building inc. service area
Auto Repair/Collision	1.0	same as above
Auto Wash (Coin Operated Do-it-yourself 10 gal. or less per car)	1.0	per stall
Auto Wash (Mechanical - Over 10 gal. per car - Not Recycled)	10.0	per stall or production line including approach and drying area
Auto Wash (Mechanical - Over 10 gal. per car - Recycled)	5.0	per stall or production line including approach and drying area
Barber Shop	1.0	per shop plus 0.1 per chair after 2
Bar	4.0	per 1,000 sq. ft.
Beauty Shops	1.0	per shop plus 0.1 per booth
Bowling Alleys (no bar)	1.0	per premise plus 0.2 per alley
Churches	0.25	per 1,000 sq. ft. - minimum 1 unit
Cleaners (pick up only)	1.0	per shop
Cleaners (cleaning & pressing facilities)	1.0	per premise plus 0.5 per 500 sq. ft.
Clinics (Medical or Dental)	1.0	per premise plus 0.5 per exam room
Convalescent or Boarding Homes	1.0	per premise plus 0.25 per bedroom
Convents	1.0	per premise plus 0.25 per bedroom
Country Clubs and Athletic Clubs	1.5	per 1,000 sq. ft. of clubhouse plus restaurant and bar
Drug Stores	1.0	per premise plus snack bar
Factories (office and production)	0.75	per 1,000 sq. ft.
Wet Process		based on metered sewage flow
Funeral Home	1.5	per 1,000 sq. ft. plus residence to be computed separately
Grocery Stores and Super Market	1.0	per premise plus 0.8 per 1,000 sq. ft.
Hospitals	1.1	per bed
Hotels and Motels	0.50	per bedroom plus restaurant and bar
Laundry (self serve)	1.0	per premise plus 0.5 per washer
Two Family Residential	1.0	per unit
Mobile Homes (free standing)	1.0	per unit
Mobile Homes (parks or subdivision)	0.75	per pad or site at indirect connection rate plus laundry, community buildings and office to be computed separately per schedule
Multiple Family Residence		
Duplex or Row Houses	1.0	per dwelling unit
Apartments	1.0	per dwelling unit
Professional Office		per dwelling unit
Public Institutions	0.25	per 500 sq. ft. - minimum 1
Restaurants (meals only)	0.75	per 1,000 sq. ft.
Restaurants (meals and drinks)	2.5	per 1,000 sq. ft.
Restaurants Auxiliary Dining Rooms	6.5	per 1,000 sq. ft.
when used less than 20 hours per week		
Schools	2.0	per 1,000 sq. ft.
Service Stations	1.0	per classroom
Snack Bars, Drive-Ins, etc.	1.5	per 1,000 sq. ft. of building area
Retail Store (other than listed)	2.5	per 1,000 sq. ft.
Theaters (drive-in)	1.0	per premise plus 0.1 per 1,000 sq. ft.
Theaters	0.04	per car space
Post Office	0.04	per seat
Warehouse and storage	1.0	per 1,000 sq. ft.
Veterinary Facility	0.2	per 1,000 sq. ft.
Veterinary Facility with Kennel	1.5	per facility
Other uses	1.5	per facility plus 0.5 per 5 kennels
	1.0	