

Township of Superior

AN ORDINANCE TO PROVIDE FOR THE OPERATION AND MAINTENANCE
OF THE CHIPPEWA COUNTY WATER SUPPLY SYSTEM NO. 1
(TOWNSHIP OF SUPERIOR) ON A PUBLIC UTILITY BASIS UNDER THE
PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS
AMENDED.

ORDINANCE NO. 6

Section 1. It is hereby determined to be desirable and necessary, for the public health, safety and welfare to the Township of Superior, that the Chippewa County Water Supply System No. 1 (Township of Superior) be operated by said Township as lessee and agent of Chippewa County and the Chippewa County Department of Public Works on a public utility rate basis in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Section 2. Whenever the words "the System" are referred to in this ordinance, they shall be understood to mean the complete Chippewa County Water Supply System No. 1 (Township of Superior) including all wells, tanks, mains and all other facilities used or useful in the storage, supply and distribution of potable water, including all appurtenances thereto and including all extensions and improvements thereto, which may hereafter be acquired.

Whenever the words "revenues" and "net revenues" are used in this ordinance, they shall be understood to have the meanings as defined in Section 3, Act 94, Public Acts of Michigan, 1933, as amended.

Section 3. The operation, maintenance, alterations, repairs and management of the System shall be under the supervision and control of the Township Board, subject to the terms of the Contract dated June 8, 1976 between the County of Chippewa and the Township of Superior. Said Council may employ such person or persons in such capacity and capacities as it deems advisable to carry on the efficient management and operation

of the System and may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the System.

Section 4. Rates to be charged for service furnished by the System shall be as follows:

USE CHARGES

Meter Charges

1" meter	\$ 6.00
1½" meter	8.00
2" meter	12.00
3" meter	25.00
4" meter	35.00

Residential Rates

Cubic feet of water used	Rate
1-600 cu. ft.	\$5.50 minimum bill
Next 300 cu. ft.	\$.85 per 100 cu. ft. or fraction thereof
Next 300 cu. ft.	\$.75 per 100 cu. ft. or fraction thereof
Next 300 cu. ft.	\$.65 per 100 cu. ft. or fraction thereof
Next 3,500 cu. ft.	\$.55 per 100 cu. ft. or fraction thereof
Next 5,000 cu. ft.	\$.45 per 100 cu. ft. or fraction thereof
All over 10,000 cu. ft.	\$.35 per 100 cu. ft. or fraction thereof

Commercial Rates

1-3,000 cu. ft.	\$.70 per 100 cu. ft. or fraction thereof
Next 4,000 cu. ft.	\$.65 per 100 cu. ft. or fraction thereof
Next 3,000 cu. ft.	\$.55 per 100 cu. ft. or fraction thereof
Next 40,000 cu. ft.	\$.50 per 100 cu. ft. or fraction thereof
Next 50,000 cu. ft.	\$.45 per 100 cu. ft. or fraction thereof
All over 100,000 cu. ft.	\$.35 per 100 cu. ft. or fraction thereof

Minimum Bill

5/8" meter	\$ 5.50
3/4" meter	6.50

Special Rates

For miscellaneous or special service for which a special rate shall be established, such rates shall be fixed by the Township Board.

Billing

Bills will be rendered quarterly on September 1, December 1, March 1, and June 1, payable without penalty within thirty (30) days after the date thereon. Payments received after

such a period shall bear a penalty of five per cent (5 per cent) of the amount of the bill.

Enforcement

The charges for services which are under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, made a lein on all premises served thereby, unless notice is given that a tenant is responsible, are hereby recognized to constitute such lein, and whenever any such charge against any piece of property shall be delinquent for six (6) months, the Township official or officials in charge of the collection thereof shall certify annually August 1 of each year, to the tax-assessing officer of the Township the facts of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises and shall be collected and the lein thereof enforced, in the same manner as general township taxes against such premises are collected and the lein thereof enforced: Provided, however, where notice is given that a tenant is responsible for such charges and service as provided by said Section 21, no further service shall be rendered such premises until a cash deposit in the amount of \$25.00 shall have been made as security for payment of such charges and service.

In addition to the foregoing, the Township shall have the right to shut off water service to any premises for which charges for water service are more than three (3) months delinquent, and such service shall not be reestablished until all delinquent charges and penalties and a turn-on charge, to be specified by the Township Board, have been paid. Further, such charges and penalties may be recovered by the Township by court action.

Section 5. No free service shall be furnished by said System to any person firm or corporation, public or private, or to any public agency or instrumentality.

Section 6. The rates hereby fixed are estimated to be sufficient to provide for the payment of the expenses of administration and operation, such expenses for maintenance of the said System as are necessary to preserve the same in good repair and working order, to provide for partial payment of the contractual obligations of the Township to the County of Chippewa pursuant to the aforesaid contract between said County and the Township as the same become due, and to provide for such other expenditures and funds for said System as this ordinance may require. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts.

Section 7. The System shall be operated on the basis of an operation year commencing on April 1 and ending on the last day of March next following.

Section 8. The Treasurer of the Township shall be custodian of all funds of the Township belonging to or associated with the System and such funds be deposited in the Central Savings Bank, Sault Ste. Marie, Michigan, a bank insured by the Federal Deposit Insurance Corporation. In the event that the government is a holder of any of the bonds issued by the County, the Township Treasurer shall execute a fidelity bond in an amount not less than \$10,000.00 with a surety company approved by the government, and the United States, the County of Chippewa and the Township shall be named as co-obligees in such bond and the amount thereof shall not be reduced without the prior written consent of the government. The Township Treasurer is hereby directed to create the following funds and accounts into which the revenues and income from the System shall be deposited.

A. RECEIVING FUND ACCOUNT

Upon the effective date of this Ordinance all funds of the System on hand and the gross income and revenue of the System shall be set aside into a separate account to be designated the Township of Superior Water No.1 System Receiving Fund Account and monies so deposited therein shall be expended and used only in the manner and order hereinafter specified.

B. OPERATION AND MAINTENANCE ACCOUNT.

Prior to the beginning of each fiscal year the Township will prepare an annual budget for the System for the ensuing fiscal year itemized on the basis of monthly requirements, a copy of which budget shall be mailed without request to Farmers Home Administration as long as the government is holder of any of the bonds prior to adoption for review and upon written request to any other bondholders. Upon the effective date of this Ordinance, there shall be set aside and deposited each quarter pursuant to the budget a sufficient portion of the income and revenue in the Oper-

tion and Maintenance Account to pay the reasonable and current expenses of administering, operating and maintaining the System for the ensuing quarter.

C. CONTRACT PAYMENT FUND.

There shall next be established and maintained a depository account to be designated CONTRACT PAYMENT FUND, which shall be used solely for the payment of the Township's obligations to the County of Chippewa pursuant to the aforesaid contract. There shall be deposited in said fund quarterly, after requirements of the Operation and Maintenance Fund have been met, such sums as shall be necessary to pay said contractual obligations when due. Should the revenues of the System prove insufficient for this purpose, such revenues may be supplemented by any other fund of the Township legally available for such purpose.

D. GENERAL PURPOSE ACCOUNT

The balance of income and revenue after the transfers required in (B) and (C) above have been made, shall be deposited to a General Purpose Account which shall be used and disbursed only for the purpose of paying the cost of repairing or replacing any damage to the System which may be caused by an unforeseen catastrophe, for making extensions or improvement to the System, and when necessary for the purpose of making payments to the County of Chippewa if the amount in the Contract Payment Fund is not sufficient to meet such payments. The total of such deposits to the General Purpose Account and balance of said account need not exceed the sum of \$5,000.00. The funds in the General Purpose Account may be invested in obligations of the United States. Any such investment will be a part of the General Purpose Account.

E. SURPLUS MONIES

Whenever there shall accumulate in the General Purpose Accounts in excess of the requirements during the next eighteen months for paying the contract with Chippewa County, and in excess of the requirements of the Operation

and Maintenance Account, such excess may be used by the Township for redemption of bonds in the manner set out below.

All monies remaining in the Receiving Fund at the end of any operating year after satisfying the above requirements shall be paid to the Department of Public Works of the County of Chippewa and used to call bonds for redemption as provided in the contract with the County, or at the option of the Township transferred to the General Purpose Account and used for the purpose for which that Account was established.

Section 9. In the event the monies in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund, any monies or securities in other funds of the System, except sums in the Contract Payment Fund derived from tax levies, shall be transferred to the Operation and Maintenance Fund to the extent of any deficit therein.

Section 10. Monies in any fund or account established by the provisions of this Ordinance may be invested in obligations of the United States of America in the manner and subject to the limitations provided in Act 94, Public Acts of Michigan, 1933, as amended. In the event such investments are made, the securities representing the same shall be kept on deposit with the bank or trust company having on deposit the fund or funds from which such purchase was made. Income received from such investments shall be credited to the fund from which said investments were made.

Section 11. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 12. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 13. This ordinance shall be published once, in full, in the

Sault Evening 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 recordings authenticated by the signatures of Supervisor and Township Clerk.

Section 14. This ordinance shall become effective immediately upon its adoption.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 6 duly adopted by the Township Board of the Township of Superior, County of Chippewa, Michigan at a regular Meeting held on August 10, 1976, at which all Members were present, and that public notice of said meeting was given pursuant to Act. No. 261, Public Acts of Michigan 1968, including in the case of a special or rescheduled meeting notice by publication or posting at least twelve hours prior to the time set for the meeting.

I further certify that the following Members voted for adoption of said ordinance; Harold Passmore, J. Wilson, Mary A. Charles, O. McCready, and C. Compo and that the following Member voted against adoption of said ordinance; None

I further certify that said ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and Township Clerk.

Mary A. Charles
Township Clerk