

BIRCH RUN TOWNSHIP  
SAGINAW COUNTY, MICHIGAN  
ORDINANCE NO. 2019-03  
MUNICIPAL WATER SUPPLY ORDINANCE AMENDMENT

**AMENDMENT TO THE BIRCH RUN TOWNSHIP MUNICIPAL WATER SUPPLY  
ORDINANCE NO. 02-07**

ADOPTED: March 12, 2019  
PUBLISHED: March 20, 2019  
EFFECTIVE: April 19, 2019

An Ordinance to amend and supplement the Birch Run Township Municipal Water Supply Ordinance, Ordinance No. 02-07, adopted February 12, 2007.

The Board of Trustees of Birch Run Township, Saginaw County, Michigan, ordains that the Birch Run Township Water Supply Ordinance be amended and supplemented as follows:

The Township of Birch Run hereby ordains:

**Sec. 7** Section 7 of the Birch Run Township Municipal Water Supply Ordinance, entitled “RATES FOR WATER SERVICE” is hereby amended and supplemented by adding subsection (I) to Section 7.1. The remaining portions of Section 7 are hereby ratified and confirmed. The added subsection (I) to Section 7.1 shall read as follows:

**7.1 READY TO SERVE CHARGE**

I. PAST-DUE AMOUNTS: This sub-section applies to any property(ies) located in Birch Run Township and served by the Township Water Supply System. In regard to any past-due monies due and owing to the Township over and above the Township Readiness to Serve Fee as of September 30 of a given year, the Township may engage in any process permitted at law to collect the amount due including attaching a lien for the amount due to the structure(s), premise(s), lot(s) or parcel(s) at which the costs, fees and/or charges were incurred.

**Sec. 12** Section 12 of the Birch Run Township Municipal Water Supply Ordinance, entitled “CROSS CONNECTIONS PROHIBITED” is hereby amended and supplemented by addition Sections 12.7, 12.8 and 12.9 listed below. The remaining portions of Section 12 are hereby ratified and confirmed. The added Sections 12.7, 12.8 and 12.9 shall read as follows:

**12.7 TESTING—BUSINESS CUSTOMER**

All business properties located in Birch Run Township and served by the Township Water Supply System shall conduct annual testing of the piping system or systems thereof at their respective property(ies) for cross connections. If a business property has not completed this testing by September 30<sup>th</sup> of any given year Birch Run Township may engage an appropriate individual within the Township’s discretion to conduct said testing. The cost of said testing shall at all times be borne by the Customer. If the Customer fails to pay the invoiced amount within 6 months of the mailing date of said invoice, Birch Run Township may engage in any process

permitted at law to collect the amount due including attaching a lien for the invoiced amount to the structure(s), premise(s), lot(s) or parcel(s) at which said testing occurred.

#### 12.8 TESTING—RESIDENTIAL CUSTOMER

All residential properties located in Birch Run Township and served by the Township Water Supply System shall conduct testing of the piping system or systems thereof at their respective property(ies) for cross connections at least every three years. If a residential property has not completed this testing by September 30<sup>th</sup> of a given year on which testing is required, Birch Run Township may engage an appropriate individual within the Township's discretion to conduct said testing. The cost of said testing shall at all times be borne by the Customer. If the Customer fails to pay the invoiced amount within 6 months of the mailing date of said invoice, Birch Run Township may engage in any process permitted at law to collect the amount due including attaching a lien for the invoiced amount to the structure(s), premise(s), lot(s) or parcel(s) at which said testing occurred.

#### 12.9 TESTING BY BIRCH RUN TOWNSHIP

The Customer may, at its discretion, engage Birch Run Township to conduct the inspection and testing described in Sections 12.7 and/or 12.8 of this Amending Ordinance. If the Customer chooses to engage Birch Run Township to complete this task, the cost of said inspection and testing shall be assessed on a quarterly basis on the water bill of the Customer. This sub-section applies to both business and residential customers.

**RATIFICATION AND CONFIRMATION:** The remaining provisions of Ordinance 02-07 are hereby ratified and confirmed.

**SEVERABILITY:** The sections and provisions of this Amending Ordinance are declared to be severable and any portion which is declared inoperative or invalid for any reason by a court of competent jurisdiction shall in no way affect the remaining section or provisions of this Ordinance.

**EFFECTIVE DATE:** This Amending Ordinance shall take effect 30 days from the date of its adoption and publication, and all ordinances or any part of any ordinance in conflict with this Amending Ordinance shall be repealed.

This Amending Ordinance is made and passed by the Township of Birch Run, County of Saginaw, State of Michigan, at a regularly held meeting on the 12<sup>th</sup> day of March, 2019, and ordered to be given publication in the manner prescribed by law.

**CERTIFICATION**

ADOPTED: March 12, 2019

YEAS: Letterman, Parlberg, Sheridan, Totten, Trinklein, Kiessler

NAYS: None

ABSENT: Moore

TOWNSHIP OF BIRCH RUN:

By:

\_\_\_\_\_  
RAY LETTERMAN, Township  
Supervisor

By:

\_\_\_\_\_  
COREY TRINKLEIN, Township  
Clerk

STATE OF MICHIGAN)  
COUNTY OF SAGINAW)

I, the undersigned, the fully qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of an amended ordinance adopted at a regular meeting of the Township Board of the Township of Birch Run, Saginaw County, Michigan, held on the 12<sup>th</sup> day of March, 2019, and that notice of said meeting was given and in compliance with Act 267, Public Acts of Michigan, 1976. I further certify that the adoption of the instant ordinance was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date. It was signed by the Supervisor and Clerk of the Township.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 13<sup>th</sup> day of March 2019.

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Corey Trinklein, Clerk  
Birch Run Township

Date of Publication: March 20, 2019

Newspaper: Birch Run Bridgeport Herald