

AMENDMENT TO ORDINANCE

AMENDMENT TO THE WATER SERVICE AND USE ORDINANCE OF THE GRAND TRAVERSE COUNTY TOWNSHIPS OF ACME, THE CHARTER TOWNSHIP OF EAST BAY, THE CHARTER TOWNSHIP OF GARFIELD, THE TOWNSHIP OF PENINSULA AND THE CHARTER TOWNSHIP OF ELMWOOD IN LEELANAU COUNTY

The Township Hereby Ordains:

An ordinance to protect the health, safety, and welfare of the people; to regulate the use of the Township Water System; and to establish remedies and fix penalties for violations.

Article I is hereby amended to read, in its entirety, as follows:

ARTICLE I DEFINITIONS

Section 1. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- (a) "Building lead" means that portion of a water line from the curb box or curb stop to the meter. If no curb box or stop has been installed, "building lead" means that portion of the water line between the meter and the property line.
- (b) "County D.P.W." means the Grand Traverse County Department of Public Works operated by the County Board of Public Works.
- (c) "Cross connection" means any connection or arrangement of piping or appurtenances through which a back flow of water could occur.
- (d) "Corporation stop" means the device by which a service lead is connected to the water main.
- (e) "Curb box" or "curb stop" means a valve and riser from the service lead to enable the service lead to be shut off from the public water supply.
- (f) "Person" means any individual, firm, company, association, society, corporation or group.
- (g) "Service lead" means that portion of a water line running from the water main to the curb stop, including the corporation stop and curb box.

- (h) "Building Service Lead" is the water line running from the corporation to the water meter and includes both the building lead and the service lead.
- (i) "Township" means The Charter Township of Garfield, Grand Traverse County, Michigan.
- (j) "Township Water System" means the governmentally owned and operated water supply system in the Charter Township of Garfield, consisting of pipes, structures and facilities by means of which potable water is obtained

ARTICLE IV SERVICE LEADS is hereby amended to read, in its entirety, as follows:

Section 1. All service leads are a part of the Township Water System. Service leads shall be installed by the property Owner in accordance with standards established by the DPW and shall be subject to inspection by DPW personnel. Connection of the service lead to the public water supply by tapping the main and installing a corporation stop with proper couplings shall be the responsibility of the DPW and shall be performed by DPW personnel.

Section 2. A service lead shall not be installed where the terminal point of a building lead at the curb box is located such that the route of the service lead from the main to the curb box is obstructed by a driveway approach, tree, or other obstacle.

Section 3. The County D.P.W. may disconnect from the main any unused service leads. In the event water service should be desired at the same location at a later date, a permit for such service and connection to the Township Water System will be required.

Section 4. For a period of three (3) years beginning with the installation of the service lead and its connection to the public water supply, the property Owner, or his or her successor in interest shall bear all costs incurred by the DPW or other public agency necessitated or arising out of defective workmanship or materials used in connection with installation of the service lead. The existence of a leak in the service lead, unless occasioned by subsequent damage, shall be prima facie evidence of defective workmanship or materials.

**CHARTER TOWNSHIP OF GARFIELD
RESOLUTION 2006-15-T**

**RESOLUTION ADOPTING AMENDMENT NO. 3 TO ORDINANCE NO. 17
TOWNSHIP WATER SERVICES AND USE ORDINANCE**

WHEREAS, the Sewer and Water Committee of the Board of Public Works has recommended the adoption of the Amendment of the Water Service and Use Ordinance by each township in which the Ordinance is in effect in order to modify the responsibilities of the property owner and the Department of Public Works with respect to installation of the building service lead, and

WHEREAS, the Board of Public Works has also recommended the consideration of the Amendment upon the finding that adoption of the Amendment will enhance the administration of the Township's Ordinance by the Department of Public Works and will make construction and installation of building service leads more efficient, and

WHEREAS, the Charter Township of Garfield finds that adoption of the Amendment No. 3 to the Water Service and Use Ordinance is necessary to protect and health, safety and welfare of the inhabitants of the Township in order to make installation of building service leads more efficient, and that the same should be adopted by the Township;

NOW, THEREFORE, BE IT RESOLVED,

1. Amendment No. 3 to the Water Service and Use Ordinance No. 17 of the Charter Township of Garfield is hereby adopted.
2. Amendment No. 3 to the Water Service and Use Ordinance No. 17 of the Charter Township of Garfield shall be effective thirty (30) days following publication in accordance with law.

Motion/Brad Barnes, supported/Kay Schumacher, PASSED, to adopt Resolution 2006-15-T, approving adoption of Amendment No. 3 to the Water Sewer and Use Ordinance No. 17 of the Charter Township of Garfield.

Roll call vote for the motion:

Yes: Lee Wilson, Kay Schumacher, Judy McManus, Joe McManus, Brad Barnes,
Jim Harvey

No: None

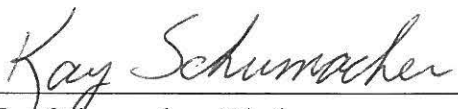
Absent and excused: Leo Strait

The Chairman declared the motion carried and Resolution 2006-15-T adopted this 28th day of September 2006.


Lee F. Wilson, Supervisor

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of the Charter Township of Garfield, Grand Traverse County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a Resolution duly adopted by the Township Board of the Charter Township of Garfield at a regular meeting held on September 28, 2006, which meeting a quorum was present and remained throughout, (2) that an original of said Amendment No. 3 is on file in the records of the Township, (3) the meeting was conducted, and public notice there was given pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), (4) Minutes of such meeting was kept and will be made available as required by law, and (5) Amendment No. 3 was introduced to the Township Board of the Charter Township of Garfield at a previous meeting as required by law.


Kay Schumacher, Clerk