

**JAMESTOWN CHARTER TOWNSHIP  
ORDINANCE NO. 01-004**

**FIRST AMENDMENT TO WATER SYSTEM RATE  
AND ADMINISTRATION ORDINANCE**

An Ordinance to amend the Jamestown Charter Township Water System Rate and Administration Ordinance, Ordinance No. 130, to add a frontage charge as one additional component of the connection charge, and to repeal conflicting ordinances.

THE CHARTER TOWNSHIP OF JAMESTOWN, COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

**Section 1. Amendment to Section 4.** Section 4 of the Jamestown Charter Township Water System Rate and Administration Ordinance shall be amended to provide in its entirety as follows:

**"SECTION 4. CHARGES:** All premises connecting to the System shall pay a water connection charge. The water connection charge shall be the sum of the water service installation charge, availability charge, frontage charge, and trunkage charge. The stub charge, availability charge, frontage charge, and trunkage charge for each connection to the System shall be calculated and determined as is provided in subsections (a) through (d) in this Section. Any premises that is already connected to the system which is expanded or altered shall pay an additional trunkage charge as is provided in subsection (c).

(a) **Stub Charge:** All premises connecting to the System shall pay a stub charge. The stub charge is for the installation of a water service line from the water main to the property line and for the installation and use of a water meter and other necessary appurtenances, as well as all necessary inspection. If the water service line has already been provided or is constructed as part of a special assessment district or by a third party without cost to the Township, then the stub charge shall be reduced to cover just the water meter and inspection. The stub charge shall be established and adjusted from time to time by Township Board resolution.

(b) **Availability Charge:** All premises connecting to the System shall pay an availability charge unless:

(1) the premises have been included in a special assessment district and were assessed for the cost of the water main frontage which will provide the water service; or

(2) the System main adjacent to the premises was constructed as part of a development or project in which the connecting party or the connecting party's predecessor or the Township, on behalf of and at the expense of the connecting party or the connecting party's predecessor, constructed such main subject, however, to an exception that if the development or project itself has frontage on a System main not constructed as part of such development or project, then an availability charge for such frontage on the System main shall nevertheless be paid by the development or project for such frontage.

The availability charge shall be established and adjusted from time to time by Township Board resolution.

(c) **Trunkage Charge:** All premises connecting to the System shall pay a trunkage charge based on the residential equivalent units of the premises unless the premises have been included in a special assessment district to pay the cost of the water main providing service which included a trunkage charge as part of the special assessment. Those premises included in a special assessment district where the special assessment was determined based on a fewer number of residential equivalent units then will be served by the connection, such as if the assessment was based on an unimproved parcel, shall pay a trunkage charge based on the increased number of residential equivalent units to be served.

Those premises which have previously paid a trunkage charge as part of a special assessment, or in full or on an installment basis as part of a charge in lieu of assessment, but which are later expanded, or where the use thereof is altered so as to increase the amount of water use, shall pay an additional trunkage charge for such expansion or alteration of use at the time a building permit is issued for such expansion or alteration, or if no building permit is required, at such time as the premises are expanded or the use thereof is altered.

The number of residential equivalent units shall be determined based on a table of residential equivalent unit factors which will be adopted and amended from time to time by Township Board resolution. The trunkage charge per residential equivalent unit shall be established and adjusted from time to time by Township Board resolution. The amount of the trunkage charge shall be

determined by multiplying the residential equivalent unit rate times the number of residential equivalent units applicable to the particular premises improvement, use, expansion or alteration.

(d) **Frontage Charge:** All premises connecting to the System, that functionally utilize frontage in excess of 150 feet, shall pay a frontage charge for each foot of the portion of the premises which is functionally utilized in excess of 150 feet unless:

(1) the premises have been included in a special assessment district and were assessed for the cost of the water main frontage which will provide the water service; or

(2) the System main adjacent to the premises was constructed as part of a development or project in which the connecting party or the connecting party's predecessor or the Township, on behalf of and at the expense of the connecting party or the connecting party's predecessor, constructed such main subject, however, to an exception that if the development or project itself has frontage on a System main not constructed as part of such development or project, then a frontage charge for such frontage on the System main shall nevertheless be paid by the development or project for such frontage.

The portion of the premises which is functionally utilized shall include that portion of the premises which is occupied by buildings or structures and also which is occupied by recreational facilities (swimming pools, etc.), drives, parking area, grass, other landscaping, and/or other site improvements. With respect to a connection by a farm house and/or farm buildings, farm land devoted to the raising of animals or crops or left fallow shall **not** be considered to be functionally utilized. In order to be excluded from consideration in calculating the frontage charge, the frontage which is not functionally utilized must meet the minimum zoning ordinance requirements for a buildable lot in the zoning district where the premises are located.

Frontage in excess of 150 feet which is not charged because it is not being functionally utilized shall be considered to be deferred frontage and shall be subject to connection charges, including, but not limited to, a frontage charge, as is provided in this Section 4 at such time as a building or zoning permit is applied for for improvements to be located on the deferred frontage.

Corner lot side yard frontage shall be permanently deferred for a distance of 150 feet and shall only be assessed if functionally utilized as provided above.

The frontage charge shall be established and adjusted from time to time by Township Board resolution."

**Section 2. Repeal.** All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance as of the effective date of this Ordinance, are also hereby repealed to the extent of such conflict.

**Section 3. Effective Date.** This Ordinance was approved and adopted by the Township Board on March 26, 2001, after introduction and first reading on March 15, 2001 and \_\_\_\_\_, and shall be effective on March 27, 2001.

  
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James Miedema, Supervisor

  
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Ruth Pruis, Clerk

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**CERTIFICATE**

We, James Miedema and Ruth Pruis, the Supervisor and Clerk, respectively, for the Charter Township of Jamestown, Ottawa County, Michigan, do hereby certify that the foregoing amendment to the Jamestown Charter Township Water System Rate and Administration Ordinance was adopted at a regular meeting of the Jamestown Charter Township Board held on March 26, 2001. The

following members of the Township Board were present at that meeting: BROUWER, MIEDEMA, VANDE BUNT PRUIS, NYENSHUIS, SHAARDA & SIPE. The following members of the Township Board were absent: \_\_\_\_\_

NONE. The Ordinance was adopted by the Township Board with members of the Board BROUWER, MIEDEMA, NYENHUIS, PRUIS, SHAARDA, SIPE & VANDE BUNTE voting in favor and members

of the Board -0- voting in opposition. The Ordinance Amendment was published

in ADVANCE NEWSPAPERS on MARCH 20, 2001.

James Miedema  
Township Supervisor

Ruth Pruis  
Township Clerk