

ORDINANCE NO. 2025-07
WATER ORDINANCE
TOWNSHIP OF SWAN CREEK, MICHIGAN

An Ordinance known as the Swan Creek Township Water Ordinances.

An ordinance to amend in its entirety the Swan Creek Township Water Ordinance originally adopted on October 14, 1970 to provide for the operation and maintenance of all water supply facilities of Swan Creek Township on a public utility basis under the provisions of Act 94, Public Acts of Michigan, 1933, as amended; to establish charges and rates for water service in the Township of Swan Creek; to provide for water emergencies; to prohibit water cross connections; to provide penalties for violation of such ordinance regulations.

THE TOWNSHIP OF SWAN CREEK ORDAINS:

SECTION I
SHORT TITLE

The ordinance shall be known and may be cited as the "Swan Creek Township Water Ordinance".

SECTION II
OPERATION ON PUBLIC UTILITY RATE BASIS

It is hereby determined to be desirable and necessary for the public health, safety and welfare of the Township of Swan Creek that all water supply facilities of the Township, whether owned by the Township or operated as lessee and agent, be operated on a public utility rate basis in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

SECTION III
DEFINITIONS

BACKFLOW – The word "backflow" shall be construed to mean water of questionable quality, waste or other contaminants entering the system due to a reversal of flow.

CHARGES – The term "charges for water services" or "charges" shall be deemed to mean the amount charged to each premises in the Township connected to the system for the purpose of receiving a supply of water.

CONNECTION COST CHARGE – The term "connection cost charge" shall mean the amount charged to any applicant for the installation of the water main connection from the public water main to the property line as determined by the Township Board, including the tapping of the water main, service pipe, water meter, and meter pit at the road right of way.

CROSS CONNECTION – The term "cross connection" shall be construed to mean a connection or arrangement of piping or appurtenances through which a backflow could occur.

DWELLING UNIT – The term "dwelling unit" shall mean a structure containing one or more rooms, with bathroom and principal kitchen utilities, designed as a self-contained unit for occupancy by one family for living, cooking, and sleeping.

PREMISES – The term "premises" shall mean a lot or parcel of land, exclusive of building, however owned or occupied.

REVENUES – NET REVENUES – 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.

SYSTEM – Whenever the word “system” is referred to in this Ordinance, it shall be understood to mean the complete water supply facilities of the Township of Swan Creek, including all water lines, pumps, storage, or treatment facilities, and all other facilities used or useful in the transmission and distribution of potable water, including all appurtenances thereto and including all extensions and improvements thereto, which may hereafter be acquired.

TAP-IN-CHARGES – The term “tap-in-charges” and “tap-in-fees” shall be construed to mean a charge made to any applicant for water services for the privilege of connection to such water service.

TOWNSHIP – The term “Township” shall be construed to mean the Township of Swan Creek and the term “County” shall be construed to mean the County of Saginaw, both in the State of Michigan; the term “Township Board” shall be construed to mean the Township Board of Swan Creek, the legislative and governing body thereof.

TOWNSHIP WATER SYSTEM SUPERINTENDENT – The term “Township Water System Superintendent” shall mean the Director of Department of Public Works or an agent designated by the director.

WATER SERVICE – The term “water service” shall be construed to mean the providing of a supply of water to premises connected to the system.

SECTION IV SUPERVISION AND CONTROL OF SYSTEM

4.1 DESIGNATION OF AUTHORITY

The operation, maintenance, alteration, repair, and management of the system shall be under the supervision and control of the Township Board.

4.2 APPLICATION FOR WATER CONNECTION

Any person, firm, or corporation desiring public water service, in an area of the Township which has public water service mains, shall file an application with the Township, containing the name and address of the applicant; the size of the water service connection pipes desired; and the distance, if known, that the property is located from any existing public water main.

SECTION V CONNECTION

5.1 INSTALLATION OF SERVICE CONNECTION

- A. In all cases, the water service connection shall have two (2) full flow valves at the meter set, one (1) before and 1 after the meter. At no time will there be more than one (1) valve before the meter and curb stop. Water service connection shall be constructed of approved material and size. All 1-inch, 1 1/2-inch, and 2-inch connections shall be constructed using type K copper or SDR9 200 PSI. SDR9 must be installed with 12-gauge solid core copper tracer wire for the entire length. All SDR9 pipe will be copper tube size, only municipal grade bronze over the pipe compression fitting will be allowed, and stainless-steel insert must be used. Connections 2-inch or larger must meet or exceed all requirements of ASTM D2239, NSF listed and AWWA C901. Class 52 Ductile iron pipe or C-900 materials shall be approved by the Swan Creek Township Water Superintendent or designee. In no case shall lead solder be used for construction of the service connection. All water connection

services shall be five (5') feet deep under any surface. All water services shall have a minimum of ten (10) foot horizontal separation from any drain, storm sewer, sanitary sewer, or sewer service connection. No water service connection shall be laid in the same trench with a sewer pipe unless local conditions prevent horizontal separation, and the water service is supported upon the earth shelf at least one foot above the sewer. In no case shall one connection serve more than one (1) parcel, all meters shall have its own curb stop & box at the property line. The Township or its designated contractor shall install a brass curb stop with a curb box, which shall be placed approximately on the street line or private property line of roads and highways, and this curb stop shall be under the exclusive control of the township. No person, other than an authorized employee of the township, shall open or close or otherwise interfere with the curb stop; provided, however, that any licensed plumber may stop and/or open the curb stop in emergency cases when authorized by director of public works.

- B. Any person, firm, or corporation desiring public water service in an area of the Township or adjacent to the Township which has public water service mains must have frontage that is adjacent to or across from a Township water main.
- C. The Township shall install a curb stop with a curb box at approximately the street line or private property line. The curb stop shall be under the exclusive control of the Township. No person other than an authorized employee of the Township shall open, close, or otherwise operate said curb stop provided, however, that any licensed plumber may open or close the curb stop in emergency cases when authorized by the Swan Creek Township Water Superintendent.
- D. The service line from the meter pit or curb stop to the building shall be installed by the owner at the owner's expense and must be inspected by the Swan Creek Township Water Superintendent or designee. Any water loss from the service line will be the responsibility of the owner.
- E. All pipe used in the customer service connections shall be of the same type as described in subsection A above "Installation of Service Connections". The entire customer service connection shall be installed at the customer's expense and shall include meter isolation valves conveniently placed immediately before and after the water meter. The necessary couplings for connecting the meter shall be furnished by the Township and be included in the cost of the connection charge. In no case shall lead solder be used for construction of the customer service connection. Any newly constructed customer service connection shall not be covered until inspected and approved by the Swan Creek Township Water Superintendent.
- F. The maintenance of the customer service connection is entirely at the cost of the customer. In the event repairs, replacement or thawing of the customer service connection is required as determined by the Swan Creek Township Water Superintendent, the customer shall complete the repairs, replacement or thawing of the customer service connection at his/her cost within the time frame as allowed by the Swan Creek Township Water Superintendent. Failure to complete the work within the time frame shall allow the Swan Creek Township Water Superintendent to discontinue service to the premises.

5.2 CONNECTION FEES

The Township reserves the right to itself to obtain payment in full for any water services before Tap-In will be completed. The amount owing shall be determined by resolution of the Swan Creek Township Board. This amount will be evaluated and adjusted as needed by resolution of the Swan Creek Township Board.

5.3 TURN-ON

No person other than an authorized representative of the Township shall turn on or off any water service to any public or private premises at the connection of the premises to the water main.

5.4 WATER METERS

- A. All premises connected to the public water system shall be equipped with a water meter, so located that all water entering the premises shall pass through such meter and be measured as to volume consumed for period computation of water charges.
- B. All water meters will be installed by the Swan Creek Township Water Superintendent or designee and will be placed in a location suitable to the Township. Crawlspace are not an approved location.
- C. Meter Installation: All service connection other than fire lines shall be metered. All meters shall be equipped with a register and antenna. The meter shall be furnished and installed by the Township and shall remain the property of, and under the control of the Township. A master meter shall be required at the property line (in a meter pit) for all services greater than three hundred feet (300') in length or at the discretion of the Swan Creek Township Water Superintendent. Maintenance of the customer's service connection downstream of the master meter shall be at the customer's sole expense. If a customer with a master meter requests individual meters downstream of the master meter, the Township will not read the individual meters and will bill only for the master meter.
- D. Meter Locations: If, in the judgment of the Swan Creek Township Water Superintendent, a meter pit is required for the service connection, such meter pit shall be installed by the Township or the Township's contractor. The cost of installing such meter pit shall be paid by the customer and that cost will be determined by cost analysis at the time the connection is being made for materials and labor.
- E. Access To Meters: Any authorized Township employee or their designated agent shall, at all reasonable hours, have the right to enter the premises where such meters are installed for the purpose of reading, testing, removing, or inspecting the meter or for the purpose of inspecting any pipe or fixture connected to the Township water system, and no person shall hinder, obstruct, or interfere with such employee or designated agent in the lawful discharge of his/her duties in relation thereto. The DPW Director shall have the right to shut off the supply of water to any premises where authorized employees or designated agents are not able to obtain access to the meter.
- F. Responsibility For Meter: The owner of the premises upon which a meter is installed is hereby made responsible for same. The customer shall be responsible for all damage to the meter, meter seal or remote encoding and transmitting device and for any and all expenses of the Township caused by any negligence of any person other than an employee of the Township, including damage by hot water, frost, or other causes. If by any manner the meter is damaged or stolen, such incident must be reported to the Swan Creek Township Water Superintendent at once. It shall be the duty of the Township to make all meter repairs and charge same to the party made responsible for the meter.
- G. Meter Upgrades Required: Changes in metering equipment, technology, reading methods, and billing methods shall be determined by the Township Board. When upgrades or technology changes are ordered by the Board, it shall be a mandatory requirement for all water customers to complete the changes when directed

H. Meter Billing Surcharges: The Township Board may enact a surcharge for customers who do not comply with the upgraded water meters or technology requirements as directed by the Board. The surcharge shall be set by the Board with the schedule of fees. Surcharges imposed shall be billed with each regular water billing cycle.

I. Meter Failure: If any meter shall fail to register properly, the Township shall estimate the consumption on the basis of the eight (8) previous quarters' consumption and bill accordingly

5.5 ESCAPE THROUGH DEFECTIVE PLUMBING PROHIBITED

The escape of water through defective plumbing is prohibited. This shall include knowingly or recklessly permitting defective plumbing to remain out of repair and water to escape. The "plumbing" shall include but not be limited to water service lines from the water meter to the curb shut off valve.

5.6 PRIVATE FIRE LINE

Private fire line connections may be allowed by the Swan Creek Township Board consisting of a direct connection from the Township water main to a private building. The connection must be designated solely for fire protection and connect into the customer's fire protection system. The quarterly charge for private fire line connections shall be equal to the quarterly ready to serve charge.

5.7 INJURY TO OR OBSTRUCTION OF FACILITIES

No person, except an employee of the Township in the performance of his/her duties, shall break, damage, destroy, uncover, deface, obscure, obstruct or tamper with any structure, appurtenance or equipment which is a part of the Township water distribution system. No person, firm or corporation shall place debris, landscaping, earth or other materials in a manner that will obstruct, obscure or prevent normal access to or operation of any hydrant, valve, metering facility, Fire Department water connection or any other water system appurtenances. The expenses incurred in the removal of any obstructive materials shall be a debt to the Township from the responsible person, firm or corporation, and shall be collected as any other debt to the Township.

SECTION VI CHARGES

6.1 CONNECTION COST CHARGES

All connections to the system shall be made by the Township at a reasonable charge. The owner of the premises shall pay, in addition to all other charges and fees provided herein, in advance of the commencement of such connection, the actual cost to the Township plus a percentage thereof to be determined from time to time by the Township Board. The owner of the premises shall pay the cost of a meter or meters installed, all of which shall be equipped with a register and antenna.

6.2 TAP-IN-CHARGES

A. CONDITON OF TAP-IN-CHARGES

A Tap-In-Charge is hereby established for the privilege of connecting premises within the Township, or which are to be connected to the system, upon which are located buildings or structures, or for which use of water is requested to the water system if the following conditions are met:

1. A direct connection to the system is available to the premises.
2. All connection and other charges have been paid and the plumbing to be connected has been fully inspected and approved by the Township Water Superintendent or designee.

B. MINIMUM TAP-IN-CHARGE

The minimum tap-in-charge is \$4,250.00 for a one-inch (1") tap-in. Any tap-in larger than a one-inch (1") will require the minimum tap-in charge plus additional charges for materials and labor and will be determined by the Swan Creek Township Water Superintendent based on cost analysis of materials and labor at the time the tap-in is requested. The minimum tap-in-charge shall be determined periodically by resolution of the Township Board. It shall be calculated by taking into account the following factors:

1. Actual cost of supplies.
2. Actual cost of meter.
3. Actual cost of contracted labor and Township inspections.

C. TAP-IN-CHARGE – SPECIAL ASSESSMENT DISTRICT

If the premises requesting connection to the Township Water Supply System is currently subject to a special assessment or is located in a special assessment district which has been established for the construction of a public water main, the connection charge shall be the amount of the special assessment, which was established for each parcel of property which is within the special assessment district when the assessment was approved by the Township Board, plus the current "Tap-In Charges". The entire connection charge shall be paid in full at the time that application is made.

D. TAP-IN-CHARGE – MULTI-UNIT COMMERCIAL AND MULTI-UNIT RESIDENTIAL

If a premise contains more than one building or structure which is used as a dwelling unit and which constitutes a permitted use under the Township Zoning Ordinance, there shall be one Tap-In fee for the premises based on the master meter size. Any meters which are connected beyond the point of installation of the master meter shall be considered a Private Water Distribution System and shall be the customer's responsibility to maintain. Where Multi Unit Commercial developments contain more than one building or structure and constitute a permitted use under the Township Zoning Ordinance, there shall be one tap-in charge based upon the master meter size. Any meters which are located beyond the point of installation of the master meter shall be considered to be part of a private water distribution system and shall be the customer's responsibility.

E. TAP-IN-CHARGE – RESIDENTIAL DUPLEX

The duplex shall be required to have two separate water tap-ins and meters which will require two separate Minimum Tap-In-Charges plus Special Assessment charges if included in a Special Assessment District.

6.3 OTHER CHARGES

All charges which are required to be paid by the Township to the City of Saginaw for a water service connection shall be paid by the customer as a condition to connecting to the Township Water Supply System.

6.4. REVISION OF CHARGES

The connection and Tap-In-Charges shall be subject to adjustment by resolution of the Swan Creek Township Board.

SECTION VII RATES FOR WATER SERVICES

The rates for water service are hereby established as follows:

7.1 READY TO SERVE CHARGE

The following charge is hereby established for the following size meters:

<u>Meter Size</u>	<u>Quarterly Charge</u>
3/4" meter	\$45.00
1" inch meter	\$68.00
1 1/2" meter	\$91.00
2" meter	\$136.00
3" meter	\$683.00
4" meter	\$910.00
6" meter	\$1,821.00
8" meter	\$2,504.00

These amounts will be evaluated and adjusted by resolution of the Swan Creek Township Board.

7.2 QUARTERLY WATER SERVICE CHARGE

Water consumption will be charged at the rate of \$5.95 per 1,000 gallons with no quarterly minimum charge. Customers will be charged for every gallon of actual water usage per quarter. These amounts shall be subject to adjustment by resolution of the Swan Creek Township Board.

7.3 BULK WATER STATION AND HYDRANT BULK WATER

Bulk Water shall be charged at a rate of \$6.85 per 1,000 gallons. These amounts shall be subject to adjustment by resolution of the Swan Creek Township Board. Hydrant Bulk Water shall be charged on a monthly basis via meter read during spring/summer/fall. Hydrant Bulk Water shall only be used by authorized companies. The Swan Creek Water Superintendent shall approve or deny companies who wish to draw hydrant water. Companies that are approved must install a backflow preventer and will be financially responsible for any damage to hydrant or meter. No Ready-To-Serve Charge shall be billed for hydrant meter or Bulk Water Station. Bulk Water Station shall be billed at the commencement of the season and all keys are to be returned. Anyone not returning a key will no longer be given the option of using the Bulk Water Station.

7.4 TOWNSHIP CHARGES

The Township shall pay for all water used by it at the foregoing rates, except that for fire hydrant service, there shall be no ready to serve charge.

7.5. RATE REVISIONS AUTHORIZED

The rates hereinbefore established are estimated to be sufficient to provide for the payment of the expenses of administration and operation of the system and such expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order; and to provide for such other

expenditures and funds for the system as are required by this provision. Rates shall be fixed and revised from time to time by Township Resolution so as to produce the foregoing amounts, and the Township covenants and agrees to maintain at all times such rates for services furnished by the System as shall be sufficient to provide for the foregoing.

7.6 ESTIMATED WATER USAGE

Water consumption charges shall be based on an actual reading. Swan Creek Township however reserves the right to estimate water usage if the meter fails to read properly.

7.7 NON-SUFFICIENT FUND CHECKS

After two (2) Non-sufficient Funds (NSF) checks from the same resident within a period of one (1) year, checks will no longer be accepted from that resident and acceptable forms of payment from that resident will be cash, credit card or money order only.

**SECTION VIII
REGULATION**

8.1 BILLING

Water accounts are divided into three (3) routes and each route will be billed four times per year. Bills are rendered quarterly and are payable by the last day of the following month. Payments received after due date shall bear a penalty of ten percent (10%) of the amount of the bill. Failure to receive a bill does not waive past due penalty.

8.2 ENFORCEMENT

The charges for services which are under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, are made a lien on all premises served thereby and are hereby recognized to constitute such a lien, and whenever any such charge against any piece of property shall be delinquent for six (6) months, the Township officials or designee in charge of the collection thereof shall certify annually, on September 1st of each year, to the tax assessing officer of the Township the facts of such delinquency, whereupon such charge shall be by said officer entered upon the next 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 against such premises are collected and the lien thereof enforced.

8.3 DISCONTINUATION OF SERVICE

In addition to the foregoing, Swan Creek Township shall have the right to shut off any premises for which charges for water service are more than thirty (30) days delinquent, and such service shall not be reestablished until all delinquent charges, penalties, turn off charge of \$30.00, and turn on charge of \$30.00 have been paid in full. Further, such charges and penalties may be recovered by the Township by court action, including attorney fees and costs. The turn on and turn off fees shall be subject to adjustment by resolution of the Swan Creek Township Board.

8.4 TAMPERING PROHIBITED

No person other than an authorized employee or representative of Swan Creek Township shall break or injure the seal on or change the location of, alter or interfere in any way with any meter that is property of or has been furnished by Swan Creek Township.

8.5 FAULTY METERING

In the event that a meter shall fail to register properly, The Township Water Superintendent or designee is empowered to estimate the quantity of water used on the basis of former consumption and bill accordingly.

8.6 INSPECTION AND READING

No person shall refuse to admit to premises owned or occupied by him/her or hinder any authorized agent of Swan Creek Township entering said premises for the purposes of reading a water meter, inspecting a water meter, replacing a water meter or any piping in connection with the water distribution system.

8.7 DAMAGED METERS AND HYDRANTS

A water meter or fire hydrant that is damaged due to any act of negligence on the part of the owner or occupant of the premises where such meter is installed or hydrant is located, the expense to the Township caused thereby shall be charged to and collected from such owner or occupant.

8.8 DAMAGED WATER LINES

All repairs to damaged water lines connecting the water main to the curb stop valve, the water main itself, and meter shall be charged to and collected from such owner or occupant. Damage to water line from curb stop to dwelling is a private water line and must be repaired by such owner or occupant immediately or will be subject to water service shut off.

8.9 USE OF FIRE HYDRANTS

No fire hydrant shall be used for any purpose other than fire protection without prior approval of the Township Board or designee.

8.10 PENALTY

Any person, firm or corporation, public or private, or any public agency or instrumentality that receives water service without actually notifying the Township in writing and without having paid the appropriate charges shall be punished by a civil infraction sanction of \$500.00 in addition to being assessed appropriate charges for water service previously received as reasonably estimated by the Township or designee.

8.11 FREE SERVICE

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. When the water system superintendent or designee becomes aware of an unauthorized water usage, they shall disconnect the water line and notify the Swan Creek Township Ordinance Enforcer. The Ordinance Enforcer shall issue a civil infraction which shall include a

fine up to \$500.00 for unauthorized water use. The water service cannot be reconnected until all fines and fees are paid in full. The connection fee shall be \$4,250.00, which includes meter and supplies needed. The water usage will be estimated back to the time the water service was available for each billing cycle. Water Superintendent will estimate usage.

8.12 NO RESALE

No resale of water service shall be furnished from said system by any person, firm or corporation, public or private, or to any public agency or instrumentality.

8.13 NON-TOWNSHIP CUSTOMERS

All water customers that do not reside in Swan Creek Township but are connected to the Swan Creek Township Water System shall abide by all regulations contained herein this Ordinance.

8.14 LIABILITY OF TOWNSHIP

All parties using water from the water supply system for any purpose whatsoever, will do so at their own risk and said Township, or employees thereof, shall not be liable for any damages occasioned by or growing out of the stoppage of said water, nor for an insufficient supply of same, contamination of the water system, nor for accidents or any damage of any kind caused by or related to the use or failure of such water.

**SECTION IX
FUNDS**

Upon receipt of billings and any other receipts, such money shall be deposited in such funds as may be required by ordinances or resolutions provided by the Township Board for financing of the system and such other funds as the Township Board may deem appropriate. The Township Board hereby creates a fund known to be "The Swan Creek Township Water Fund". The Township Board, prior to commencement of each operating year, shall adopt a budget to cover the foregoing expenses for each year.

**SECTION X
INVESTMENTS**

Money 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 such investments were made.

**SECTION XI
WATER CONSERVATION**

11.1 DETERMINATION OF NEED FOR WATER CONSERVATION

When the Township Water Superintendent or designee determines that the consumption of water by the Township has or is about to equal or exceed 80% of the total supply being received from the City of Saginaw, he/she shall declare that a period of water conservation is necessary and the following water uses are restricted as explained during the period of such need for water conservation.

11.2 RESTRICTIONS AND USES RESTRICTED DURING WATER CONSERVATION PERIOD

When the Township Water Superintendent or designee declares that water conservation is necessary as provided herein, the use and withdrawal of water by any person from the system for any of the following purposes is hereby restricted such that customers with odd-numbered street addresses may use water for the following purposes on odd-numbered days and customers with even-numbered street addresses may use water for the following purposes on even-numbered days.

- A. WATERING OF YARDS: The sprinkling, watering, or irrigation of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation, except in conjunction with the operation of a commercial greenhouse.
- B. CLEANING OUTDOOR SURFACES: The washing of sidewalks, driveways, filling station aprons, porches, or other outdoor surfaces.
- C. SWIMMING POOLS: Swimming pools and wading pools not employing a filter and recirculating system.

11.3 NOTICE OF WATER CONSERVATION PERIOD

When the Township Supervisor or designee declares that a water conservation is necessary as provided herein, notice thereof shall be given posted on the Township website and to all television and radio stations maintaining offices or studios within the Township. Such notice shall advise the time of commencement of such water conservation period; that the water conservation period will continue until notice of termination is given by the Supervisor or designee; the restrictions and restricted uses; and the penalty for violations.

11.4 PENALTY

Any person who shall knowingly, during any water restriction, use or withdraw water from the Township water distribution system for any of the purposes prohibited in the Section, shall be punished by a civil infraction. Each day's failure of compliance with any provision of this section shall constitute in a separate offense.

11.5 ENJOINING VIOLATIONS

Legal proceedings to enjoin the violation of any of the provisions of this Ordinance may be brought in any Court of competent jurisdiction in the name of the Township of Swan Creek. Such action shall be taken only as authorized by the Township Board.

SECTION XII WATER EMERGENCY

12.1 DETERMINATION OF WATER EMERGENCY

When the Township Supervisor or designee determines that the consumption of water by the Township has or is about to equal or exceed the total supply being received from the City of Saginaw, he/she shall declare that critical water consumption period exists and the following water uses are prohibited during the continuance of such water emergency.

12.2 USES PROHIBITED DURING WATER EMERGENCY

When the Township Supervisor or designee declares that a water emergency exists as provided herein, the use and withdrawal of water by any person from the system for any of the following purposes is hereby prohibited.

- A. WATERING OF YARDS: The sprinkling, watering, or irrigation of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation, except in conjunction with the operation of a commercial greenhouse.
- B. CLEANING OUTDOOR SURFACES: The washing of sidewalks, driveways, filling station aprons, porches, or other outdoor surfaces.
- C. SWIMMING POOLS: Swimming pools and wading pools not employing a filter and recirculating system.

12.3 NOTICE OF WATER EMERGENCY

When the Township Supervisor or designee declares that a water emergency exists as provided herein, notice thereof shall be given posted on the Township website and to all television and radio stations maintaining offices or studios within the Township. Such notice shall advise the time of commencement of such water emergency; that the emergency will continue until notice of termination is given by the Supervisor or designee; the restrictions and restricted uses; and the penalty for violations.

12.4 PENALTY

Any person who shall knowingly, during any water emergency, use or withdraw water from the Township water distribution system for any of the purposes prohibited in the Section, shall be punished by a civil infraction. Each day's failure of compliance with any provision of this section shall constitute in a separate offense.

12.5 ENJOINING VIOLATIONS

Legal proceedings to enjoin the violation of any of the provisions of this Ordinance may be brought in any Court of competent jurisdiction in the name of the Township of Swan Creek. Such action shall be taken only as authorized by the Township Board.

SECTION XIII CROSS CONNECTION CONTROL PROGRAM

13.1 INTRODUCTION

In accordance with the requirements set forth by the Michigan Department of Natural Resources and Environment, the Township adopts by reference the current version of, and future amendments to, the Water Cross Connection Rules of the Michigan Department of Natural Resource and Environment.

13.2 LOCAL ORDINANCE

The authority to carry out and enforce a local cross connection control program will be in accordance with this ordinance, any other amendments thereto and in accordance with the Cross Connection Rules Manual published by the Michigan Department of Natural Resources and Environment.

13.3 LOCAL INSPECTION

The Township Water Superintendent and/or a designated agent, or such other person designated by the Township Board, shall be responsible for making the initial cross connection inspections and re-inspections to check for the presence of cross connections within the system. Individuals responsible for carrying out the cross connections inspections and re-inspections shall have obtained necessary training through any available manuals on cross connection prevention including the Cross Connection Manual published by the Michigan Department of Natural Resources and Environment and attendance at any cross connections training sessions sponsored by the Michigan Department of Natural Resources and Environment or other recognized agencies.

13.4 COMPLIANCE TIME

The time allowed for correction or elimination of any cross connection found shall be as follows:

- A. Cross connections shall pose an imminent and extreme hazard shall be disconnected immediately and so maintained until necessary protective devices or modifications are made.
- B. Cross connections which do not impose an imminent and extreme hazard to the system should be corrected within a reasonable period of time. A reasonable period of time allowed for correction may vary depending on the type of device necessary for protection. The Township Water Superintendent or designee shall indicate to each customer, where a cross connection is found to exist, the time period allowed for compliance.

13.5 ANNUAL REPORTING AND RECORD KEEPING

Sufficient data to complete an annual report to the Michigan Department of Natural Resources and Environment and to monitor the program adequately for Township purposes shall be maintained by the Township Water Department, or such person designated by the Township so to do, and their responsible agents. An Inspection form will be used during the initial inspection procedure and all re-inspections. Inspections forms shall be used to monitor the status of the protective device as well as the test results reported by a qualified backflow tester.

SECTION XIV CROSS CONNECTIONS PROHIBITED

14.1 INSPECTIONS

It shall be the duty of the Township to cause inspections to be made of all properties served by the system where cross connections with the system are deemed possible. The frequency of inspections and re-inspections, based on potential health hazards involved, shall be established by the Township Board and approved by the Michigan Department of Natural Resources and Environment.

14.2 RIGHT OF ACCESS, INFORMATION

The Township Water Superintendent and/or designee, or such other person designated by the Township Board, shall have the right to enter, at any reasonable time, any property served by a connection to the system for the purpose of inspecting the piping system or systems thereof for cross connections. On request, the owner, lessees or occupants of any property so served shall furnish to said representative any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

14.3 DISCONTINUATION OF WATER SERVICE

The Township is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any cross connection in violation of this Ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the system. Water service to such property shall not be restored until the cross connection or connections have been eliminated in compliance with the provisions of this Ordinance.

14.4 PROTECTION ON POTABLE WATER

The system's water shall be protected from possible contamination as specified by this Ordinance, the State Plumbing Code of the Township as adopted and in conjunction with any acts of the Michigan Department of Natural Resources and Environment. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the system must be labeled in a conspicuous manner as: "Water Unsafe for Drinking".

14.5 CONSTRUCTION OF ORDINANCE

This Ordinance does not supersede the State Plumbing Code which has been adopted by reference as the Plumbing Code for the Township, or any other ordinances that the Township has adopted, but is supplementary to them.

14.6 PENALTY

Any person or other entity who has violated any provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to civil fine determined in accordance with the following schedule:

1 st Violation within a 3-year period*	\$100.00
2 nd Violation within a 3-year period*	\$200.00
3 rd Violation within a 3-year period*	To be determined by the court

*DETERMINED ON THE BASIS OF THE DATE OF VIOLATION(S)

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the Township has put in connection with the violation. A violator of this Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as authorized under Michigan law. Each day a violation of the Ordinance continues to exist shall constitute a separate violation.

SECTION XV

REPEAL

All Ordinances of the Township inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION XVI INVALIDITY

If any section, paragraph, sentence, clause, phrase or part of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect remaining portions of this Ordinance which shall remain in full force and effect and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION XVII INSPECTION OF ORDINANCE

A copy of this Ordinance may be obtained from the Swan Creek Township Clerk, at the following address: 11415 Lakefield Road, Saint Charles, Michigan 48655.

SECTION XVIII EFFECTIVE DATE

This Ordinance is declared to have been adopted by the Township Board of Swan Creek, County of Saginaw, Michigan, at a regular meeting held on the 11th day of August, 2025.

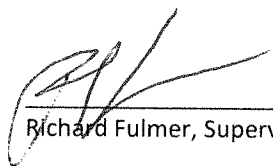
This Ordinance shall take effect 30 days from the date of adoption by the Swan Creek Township Board.

We, Richard Fulmer, Supervisor, and Leon Larsen, Clerk, do hereby certify that the foregoing is a true copy of the Ordinance amended by the Swan Creek Township Board on August 11, 2025.

Adopted:

Aye: Clerk Larsen, Treasurer Krzeszewski, Trustee Mathey, Trustee Kushion, and Supervisor Fulmer

Nay: None


Richard Fulmer, Supervisor


Leon Larsen, Clerk