

**Minutes of a Regular Meeting
Pittsfield Charter Township Board of Trustees, May 13, 2008
E.A. Jackson Morris Hall, The Robert A. Lillie Service Center
6201 W. Michigan Avenue, Ann Arbor, Michigan 48108**

Members Present: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter
Members Absent: None.
Others Present: Yolanda Dawson (Recording Clerk), Kristin Orłowski, Dennis Ward, Jack Wheatley.

1.0 Call Meeting to Order

Supervisor Walter called the meeting to order at 7:30 p.m. A quorum was present.

2.0 Pledge of Allegiance led by Supervisor Walter.

3.0 Roll Call – all members present.

4.0 Public Comment I

Comments were received from Dennis Ward and Larry Cox.

5.0 Public Hearings/Presentations

6.0 Approval of Minutes

6.1 Request to Approve Minutes of the Regular Meeting held on April 22, 2008.

Motion by Trustee Brostrom, supported by Trustee Burhop, to approve, as submitted, minutes of the Regular Meeting held on April 22, 2008.

MOTION CARRIED.

7.0 Consent Agenda

8.0 Items from the Treasurer

9.0 Items from the Clerk

9.1 Approve Payment of Payables, checks #62420 through #62535, in the amount of \$709,953.89.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to approve payment of payables, checks #62420 through #62535, in the amount of \$709,953.89.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

9.2 Authorize the hire of Ms. Elyssa Pearlstein to the position of Temporary Election Worker, effective May 12, 2008 at an hourly rate of \$12.00 per hour for up to 20 hours per week.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to authorize the hire of Ms. Elyssa Pearlstein to the position of Temporary Election Worker, effective May 12, 2008 at an hourly rate of \$12.00 per hour for up to 20 hours per week.

WHEREAS, the Pittsfield Charter Township Board of Trustees would like to authorize the hire of Ms. Elyssa Pearlstein to the position of Temporary Election Worker, and

WHEREAS, Ms. Elyssa Pearlstein meets the qualifications required for a Temporary Election Worker and has successfully completed the pre-employment hiring process,

NOW, THEREFORE, BE IT RESOLVED THAT, the Pittsfield Charter Township Board of Trustees authorize the hire of Ms. Elyssa Pearlstein, to serve in the position of Temporary Election Worker for up to 20 hours per week, effective May 12, 2008 through the end of the year, at the discretion of the Clerk's Office, at an hourly rate of \$12.00 per hour.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

9.3 Approve Payment of Payables, checks #62536 through #62674, in the amount of \$232,968.81.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to approve Payment of Payables, checks #62536 through #62674, in the amount of \$232,968.81.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

9.4 Receive Revenue/Expenditure Report for the month of April 2008.

Motion by Trustee Burhop, supported by Trustee Brostrom, to receive Revenue/Expenditure Report for the month of April 2008.

MOTION CARRIED.

10.0 Items from the Supervisor/Assessor

10.1 Approve the 2008 Urban County Participation Resolution announcing the intent of Pittsfield Charter Township to participate in the Washtenaw urban county for

federal assistance from the U.S. Department of Housing and Urban Development during the period of July 1, 2009 - June 30, 2012.

Motion by Treasurer Lirones, supported by Trustee Burhop, to approve the 2008 Urban County Participation Resolution announcing the intent of Pittsfield Charter Township to participate in the Washtenaw urban county for federal assistance from the U.S. Department of Housing and Urban Development during the period of July 1, 2009 - June 30, 2012.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

10.2 Approve the 2008 Urban County Cooperative Agreement and authorize the Supervisor and Clerk to sign this agreement.

Motion by Treasurer Lirones, supported by Trustee Brostrom to approve the 2008 Urban County Cooperative Agreement and authorize the Supervisor and Clerk to sign this agreement.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

10.3 Approve the 2008 Annual Agreement with the Washtenaw County Road Commission and authorize the Clerk and Supervisor to sign the agreement.

Motion by Trustee Conner, supported by Treasurer Lirones, to approve the 2008 Annual Agreement with the Washtenaw County Road Commission and authorize the Clerk and Supervisor to sign the agreement.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.0 Items from the Office of Public Safety

11.1 Request for approval to upgrade the generators on Engine 1, and Ladder 3 as identified, work to be completed by R & R Fire Truck Repair at a cost not to exceed \$5,000.00, and charge to the Vehicle Maintenance and Repair account #336-863.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to approve upgrade to the generators on Engine 1, and Ladder 3 as identified, work to be completed by R & R Fire Truck Repair at a cost not to exceed \$5,000.00, and charge to the Vehicle Maintenance and Repair account #336-863.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

- 11.2 Request for repairs on Rescue 3, a 1997 GMC Truck, to include replacement of the front brakes, starter and miscellaneous repairs to the brake lights and reverse switch, at a cost not to exceed \$3,330.90. The work is to be completed by R & R Fire Truck Repair and charged to account #336-863, Vehicle Maintenance Repairs.**

Motion by Trustee Conner, supported by Trustee Burhop, to approve repairs on Rescue 3, a 1997 GMC Truck, to include replacement of the front brakes, starter and miscellaneous repairs to the brake lights and reverse switch, at a cost not to exceed \$3,330.90. The work is to be completed by R & R Fire Truck Repair and charged to account #336-863, Vehicle Maintenance Repairs.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

- 11.3 Request approval to purchase office furniture for the police department from Office Chairs on Sale, at a cost not to exceed \$1,652.94, and charge to the Police Department Capital Expenditure account #301-970.**

Motion by Trustee Conner, supported by Trustee Brostrom, to approve purchase of office furniture for the police department from Office Chairs on Sale, at a cost not to exceed \$1,652.94, and charge to the Police Department Capital Expenditure account #301-970.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

- 11.4 Authorize purchase of 800 MHz Radio Batteries for the Department of Public Safety through State Electronics Inc., at a cost not to exceed \$2,015.58 and charge to the 911 Service Fund Operating Supply account #261-740.**

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to authorize purchase of 800 MHz Radio Batteries for the Department of Public Safety through State Electronics Inc., at a cost not to exceed \$2,015.58 and charge to the 911 Service Fund Operating Supply account #261-740.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

- 11.5 Authorize purchase of one Dell Power Edge 1900 network server and external hard drive through Washtenaw County, at a cost not to exceed \$4,684.75, and charge to the Police Department Capital Expenditure account #301-970.**

Motion by Trustee Conner, supported by Trustee Brostrom, to authorize purchase of one Dell Power Edge 1900 network server and external hard drive through Washtenaw County, at a cost not to exceed \$4,684.75, and charge to the Police Department Capital Expenditure account #301-970.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

- 11.6 Receive the Police Department Statistical Report and Summary of Offenses for the month of April 2008.**

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to receive the Police Department Statistical Report and Summary of Offenses for the month of April 2008.

MOTION CARRIED.

12.0 Items from the Department of Building Safety/Planning and Zoning/Utilities

- 12.1 Accept the voluntary resignation of Joseph Gannon, Utilities Foreman effective April 21, 2008.**

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to accept the voluntary resignation of Joseph Gannon, Utilities Foreman, effective April 21, 2008.

MOTION CARRIED.

- 12.2 Receive Allied Waste Services rubbish collection report and authorize payment of bill in the amount of \$81,813.15.**

Motion by Trustee Burhop, supported by Trustee Brostrom, to receive Allied Waste Services rubbish collection report and authorize payment of bill in the amount of \$81,813.15.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.3 Receive with regret the resignation of Dennis Ward from the Planning Commission, effective May 3, 2008.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to receive with regret the resignation of Dennis Ward from the Planning Commission, effective May 3, 2008.

MOTION CARRIED.

12.4 Accept Supervisor's appointment of Kathie Mahn to the Planning Commission to fill the unexpired term of Dennis Ward, ending September 30, 2008.

Motion by Trustee Conner, supported by Treasurer Lirones, to accept Supervisor's appointment of Kathie Mahn to the Planning Commission to fill the unexpired term of Dennis Ward, ending September 30, 2008.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.5 Request reimbursement for Principles of Accounting II and Intermediate Algebra (100% requested) for courses taken from January 14, 2008 to May 5, 2008 at a total cost of \$481.00 for Utilities Accountant Franklin.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to request reimbursement for Principles of Accounting II and Intermediate Algebra (100% requested) for courses taken from January 14, 2008 to May 5, 2008 at a total cost of \$481.00 for Utilities Accountant Franklin.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.6 Receive Pittsfield Charter Township Monthly Building Permit List for April 2008.

Motion by Trustee Conner, supported by Trustee Brostrom, to receive Pittsfield Charter Township Monthly Building Permit List for April 2008.

MOTION CARRIED.

12.7 Approve the hire of Motor City Electric Technologies, Inc. to provide emergency repair to replace the emergency pressure transmitter for the Merritt Road meter vault for a cost not to exceed \$2,950.00, and charge to account #592-937.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to approve the hire of Motor City Electric Technologies, Inc. to provide emergency repair to replace the emergency pressure transmitter for the Merritt Road meter vault for a cost not to exceed \$2,950.00, and charge to account #592-937.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.8 Request to approve Ordinance 276, Second Reading, to amend the Pittsfield Charter Township Code by amending sections 36-40 and 36-41 of Article II of Chapter 36.

Motion by Treasurer Lirones, supported by Trustee Burhop, to approve Ordinance 276, Second Reading, to amend the Pittsfield Charter Township Code by amending sections 36-40 and 36-41 of Article II of Chapter 36.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.9 Receive resignation from the Zoning Board of Appeals from Maria Constant, effective May 13, 2008.

Motion by Treasurer Lirones, supported by Trustee Brostrom, to receive resignation from the Zoning Board of Appeals from Maria Constant, effective May 13, 2008.

MOTION CARRIED.

12.10 Appoint Cleveland Chandler to the Zoning Board of Appeals to fill the unexpired term of Maria Constant, ending January 1, 2010.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to appoint Cleveland Chandler to the Zoning Board of Appeals to fill the unexpired term of Maria Constant, ending January 1, 2010.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

13.0 Items from the Parks & Recreation Department

14.0 Unfinished Business

15.0 New Business

- 15.1 Approve Healthy T.E.A.M. Wellness Program, "Get in the Game", at a cost not to exceed \$4,800.00 and charge to Human Resources contractual services line item #226-818.**

Motion by Trustee Conner, supported by Trustee Brostrom, to approve Healthy T.E.A.M. Wellness Program, "Get in the Game", at a cost not to exceed \$4,800.00 and charge to Human Resources contractual services line item #226-818.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

- 15.2 Approve resolution for a charitable gaming license for a raffle to benefit Midwest Eye Banks to be held in St. Clair Shores on June 22, 2008 from 10:00 a.m. until 6:00 p.m.**

Motion by Treasurer Lirones, supported by Trustee Burhop, to approve resolution for a charitable gaming license for a raffle to benefit Midwest Eye Banks to be held in St. Clair Shores on June 22, 2008 from 10:00 a.m. until 6:00 p.m.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

- 15.3 Adopt the proposed revisions to the Employee Handbook.**

Motion by Trustee Conner, supported by Treasurer Lirones, to adopt the proposed revisions to the Employee Handbook.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

16.0 Public Comment II-none.

15.4 Adjourn to Executive Session with Attorney Jack Wheatley and Human Resources Director Kristin Orlowski regarding a Worker's Compensation settlement matter.

Motion by Trustee Burhop, supported by Trustee Brostrom, to adjourn to Executive Session with Attorney Jack Wheatley and Human Resources Director Kristin Orlowski regarding a Worker's Compensation settlement matter.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

Adjourned to executive session at 7:53 pm

Returned to regular session at 8:06 pm

15.5 Authorize settlement as discussed with Attorney Jack Wheatley in the executive session held on May 13, 2008.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to authorize settlement as discussed with Attorney Jack Wheatley in the executive session held on May 13, 2008.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

17.0 Adjournment by Supervisor Walter at 8:08 pm

Feliziana Meyer, Clerk
Pittsfield Charter Township

James R. Walter, Supervisor
Pittsfield Charter Township

MINUTES APPROVED AS PRESENTED AT THE PITTSFIELD CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING HELD MAY 27, 2008.

**PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE NO. 276
SECOND READING**

**AN ORDINANCE TO AMEND THE PITTSFIELD CHARTER TOWNSHIP
CODE BY AMENDING SECTIONS 36-40 AND 36-41 OF ARTICLE II OR
CHAPTER 36.**

PITTSFIELD CHARTER TOWNSHIP ORDAINS:

Section One. That Section 36-40 (A), Article II, of Chapter 36 of the Pittsfield Charter Township Code is hereby amended to read as follows:

Chapter 36 Utilities

ARTICLE II. WATER AND SEWERAGE SYSTEM

Sec. 36-40. General provisions.

- (a) *Permit requirement.* No person other than a person specifically authorized by the township shall uncover, make any connection with or opening into, alter or disturb the system or any meter connected to the system without first obtaining a written permit from the township. No person shall connect to the system in a manner not approved by the township.
- (b) *Water system; protection.* No person shall connect or permit the connection to the system of any water supply other than the water supply of the system. No person shall turn on or off any water service between the system and any premises served by the system except a water inspector or persons authorized by the township board or a licensed plumber for the testing of his work. No person shall install or remove from the premises a water meter, or break or injure the seal of the water meter or change the location of or in any way interfere with the water meter, except a water inspector or other persons authorized so to do by the township board. The water meters shall be installed by and remain the property of the township. Any person who shall turn on any water service between the system and any premises served by the system for the testing of his work shall thereupon expeditiously complete the testing and thereafter promptly cause to be turned off the water service to the property, and in failing so to do shall be punishable as provided under section 36-41(e).
- (c) *Connection to the water and sewerage system; time limit.* It shall be the duty of each owner, each occupant, and each person having control of an inhabited building to which a sanitary sewer and water main of the system shall become

- available, to connect the building sewer and water service line of said building with the sewer and water system within six months after notice of availability is sent at the direction of the township board by United States mail addressed to the owner, occupant or person at the post office address of the building. After the expiration of the six-month period, it shall be unlawful for the owner, occupant or person to maintain or use a septic tank, cesspool or any other private means of disposal of sanitary sewage, or to continue to operate a private water supply in the building. The connection(s) shall be made in accordance with the rules and regulations of the Township board under this article. It shall be the duty of the owner, occupant or person to make, build and construct a sewer connection to suitable toilet and sewer facilities of the building without cost or expense to the township. It shall also be the duty of the owner, occupant or person to disconnect any private water system to the building and to connect to the Township water system without cost or expense to the Township. No person shall make or maintain any private water system that has any connection to the Township water system. A private water system may be maintained for irrigation purposes provided that it has no interconnection with the Township water system.
- (d) *Prohibited connections.* No person shall connect or permit to be connected to the system:
- (1) Any fire hydrant that does not conform to the uniform specifications established by resolution of the township board.
 - (2) Any fire hydrant located outside of a public right-of-way without prior written approval of the location by the fire chief being filed with the township clerk.
 - (3) Any fire service line to an interior fire sprinkling system without prior installation in the line of a cold water meter, fire service type AWWA 703-49.
 - (4) Any footing drains, downspouts or other devices that may allow the discharge of surface water and/or groundwater into the sanitary sewage disposal system of the township.
- (e) *Sewer construction and installation.* The construction and installation of all sanitary sewers and appurtenances tributary to the system, and all water mains and appurtenances distributive of the system in connection with any land development requiring site plan approval, pursuant to the township zoning ordinance, shall be in accordance with the plans and specifications included in the site plan. As a condition precedent to the issuance of a certificate of use and occupancy of any structure shown in the site plan to be served by the system, the applicant for the site plan shall furnish to the building inspector a certificate of a qualified engineer duly licensed by the state certifying that the construction and installation has been completed in accordance with the plans and specifications.
- (f) *Fire hydrant; temporary service and permit.*
- (1) No person, other than a person specifically authorized by the director of the utilities department, shall turn on the operating valve of any fire hydrant for water use other than fire protection without first filing an

application with the utilities department in writing and obtaining the required permit. The application shall be in such form as the director may prescribe and shall be accompanied by a cash deposit not exceeding \$1,000.00 and in an amount determined by the director to be reasonable and sufficient to defray the following costs and charges:

- a. For water service furnished at the fire hydrant for the period of the permit, or the period of one month, whichever period is lesser.
 - b. For the cost of installing a water meter, and turn-on of the water service.
 - c. For the cost of repair or replacement of such meter and/or fire hydrant due to damage, wear and use during the period of such permit.
 - d. For the cost of inspection of such meter card fire hydrant during the term of the permit.
- (2) The director shall apply the deposited sum first to defray the cost of the meter installation and water turn-on, and second to any other delinquent charges and costs. Notwithstanding section 36-37, the charges shall be billed monthly for the period immediately preceding the date of rendering the bill. The director shall determine the term during which the permit shall be valid and effective, not exceeding one year, which term shall be stated in the permit. Upon expiration of the permit period, the director shall refund to the applicant the portion of the deposit sum not applied toward costs of service.
- (3) Notwithstanding other provisions of this article, the rates for water service prescribed under this subsection shall be at rates double those prescribed under section 36-37(a).
- (g) *Deferment of benefit and improvement charges.*
- (1) Notwithstanding other provisions of this article, owners of property who by reason of hardship are unable to comply with the provisions of section 36-36(b), 36-36(c), 36-37(b), or 36-37(c) may have payment of the charge or charges deferred by application to the director of the utilities department. Provided that:
 - a. In the case of the sewer charges, the property has any structure in which sanitary sewage originates and is served by a private sanitary sewage disposal system duly approved by the state department of natural resources or the county health department at the time a public sanitary sewage system is available to the property.
 - b. In the case of water charges, the property has any structure served by a private water system duly approved by the state department of public health or the county health department at the time a public water distribution system is available to the property.
 - (2) Each and every legal and equitable interest owner in the property, excepting financial institutions having security interest, shall, under oath,

complete a hardship application provided by the township and not less than 60 days prior to the due date of the charge or charges file the application with the director, together with sufficient evidence of title to the property in the applicant's name, and all other information and documentation reasonably required by the director.

- (3) Hardship applications shall be reviewed by the township board, which shall determine in each case whether there has been adequate showing of financial hardship. A denial of the application shall be final and conclusive.
- (4) If the township board makes a finding of hardship, it shall fix the amount of partial or total deferment of the charge or charges so imposed, and the rate of interest, and may provide that the charge or charges shall be payable in one or more approximately equal annual installments not exceeding 20, the first installment of which shall be due as the township board shall fix; and the several subsequent installments shall be due at intervals of 12 months commencing on the next April 30. All unpaid installments shall bear interest at the rate fixed by the township board and shall be payable annually on each installment date. In any event, all charges and interest shall be due and payable on the sale or transfer of the property, or upon any installment due and remaining unpaid for a period of six months or more. All deferred charges shall be conditioned upon duly recording mortgage security on the real estate on the aforesaid terms. All charges due and remaining unpaid for a period of six months or more shall be a lien on the real property and shall be certified annually to the assessing officer, who shall enter the same upon the next tax roll against the property and shall be collected and enforced in the same manner as provided for the collection of taxes assessed upon such roll and the enforcement of the lien. In addition to any other lawful enforcement methods, the payment of water charges may be enforced by discontinuing the water services to such property; and the payment of sewer charges may be enforced by discontinuing either the water service or the sewage disposal service to the property, or both.
- (5) For the purposes of this subsection (g) "available public sanitary sewer system" and "available public water distribution system" means a public sanitary sewage system or a public water distribution system, as the case may be, located in a right-of-way, easement, highway, street or public way that crosses, adjoins or abuts upon property and passing not more than 200 feet at the nearest point from a structure in which sanitary sewage originates or a structure served by a private water system as provided in subsection (g)(1)b., as the case may be.

h. Restricted Days, Hours or Type of Water Use

Whenever the Pittsfield Charter Township Supervisor determines that a township water supply problem threatens the public health and welfare, the Supervisor may by administrative order limit the days, hours, or type of use of township water, the order to terminate at the next regular meeting of the Pittsfield Charter Township Board. The Board may by resolution review and extend the restriction.

After publication of the restriction order or resolution, no person shall use water, or permit water to be used, in violation of the restriction. Violators shall be subject to fees as set forth in section 36-41 subsection (f).

i. Utility Service Area

Notwithstanding any other ordinance or other provision of the Pittsfield Charter Township Code, no person shall connect a sewer or water line to any property that is not within the utility service area established by resolution of the Township Board. But the Township Board may approve a connection to property outside the utility service area if the property owner can demonstrate, at a public hearing, a hardship caused by the unavailability of private water or sewage disposal systems.

Section two: That section 36-41 of Article II of Chapter 36 of the Township Code is amended to read as follows:

Sec. 36-41. Enforcement.

- (a) *Delinquent charges; lien; tenant responsibility.* Charges for water service and sewage disposal services furnished to any premises shall be a lien thereon as provided in Public Act No. 94 of 1933, § 21 (MCL 141.101 et seq., MSA 5.2731 et seq.). Any such charges delinquent for six months or more shall be certified by the township treasurer on or before September 1 of each year, to the township supervisor who shall enter the charges upon the next tax roll against the premises to which services shall have been rendered. These charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the roll and the enforcement of the lien; provided, that in all cases when a tenant is responsible for the payment of any charge and the township board is so notified in writing, in accordance with Public Act No. 94 of 1933, then no such charge shall become a lien against the premises from and after the date of notice; and no further service shall be rendered the premises until a cash deposit in an amount determined by resolution of the Township Board shall have been made with the Township Treasurer as security for the payment of the charges.
- (b) *Delinquent charges; shutting off service.* The township shall have the right to shut off its water and/or sewer service to any premises for which charges for sewer and/or water are delinquent.
- (c) *Discontinuing water service.* The township shall have the right to shut off and discontinue water supplied by the system to any premises in case any person having possession or control of the premises obstructs or interferes with any water inspector in the reasonable entry upon or within the premises in accordance with section 36-40, or in case any person

having possession or control of the premises violates or permits the violation of section 36-40.

- (d) *Restoring service.* Water or sewer services discontinued under the provisions of this section shall not be restored until a turn-on charge specified by resolution of the Township Board is paid to the township for each discontinued service, together with payment of all sums due and owing for delinquent sewer and water bills for rates charged under this article, and all sums for any damage to meters and expense incurred for repair, replacement or servicing of meters or other equipment by the township necessitated by acts prohibited under section 36-40.
- (e) *Penalties for violation.* Violations of this article are civil infractions punishable by civil fines of not less than \$100 nor more than \$5,000. In addition, the Utilities Director may impose a surcharge on properties connected to the system in violation of section 36-40 (a). The surcharge shall be based on the Utilities Director's determination of the time of the connection and flow permitted by the connection. The surcharge shall not exceed \$500 per day of unauthorized connection and shall not be for a period longer than three years. Unpaid surcharges may be collected in the manner permitted in subsection (a) of this section.
- (f) *Violation of published water use restrictions.* Persons using water contrary to published use restrictions shall be charged a fee for each day of improper water usage. The fee shall be in an amount specified by resolution of the Township Board and shall be added to the customer's next water bill. Continued violations shall be grounds for discontinuance of water service and other sanctions provided in section 1-13.
- (g) *Bankruptcy.* If a utility customer files a petition in bankruptcy and does not, within 20 days of the filing of the petition, provide the Township with adequate assurance of payment, in the form of a deposit or other security for service, the township may alter, refuse, or discontinue service until there is adequate assurance of payment.

Section three: This ordinance shall take effect upon its publication by summary in the Ypsilanti Courier.

Ayes: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter
Nays: None
Absent: None

Adopted by the Pittsfield Charter Township Board of Trustees at a Regular meeting on the 13th day of May 2008.

