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**DEPARTMENT OF PUBLIC WORKS**

Justin Westlake

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DPW Superintendent

Derek Vandam

DPW Superintendent

DATE: May 3, 2022

TO: Honorable Charter Township of Waterford Board of Trustees

FROM: Justin Westlake; DPW Director 

RE: Code of Ordinances Change – Water & Sewer Connection Fees/Procedure

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The Waterford Township Department of Public Works is in the process of negotiating an intergovernmental agreement with Independence Township that would allow residents of both communities to connect to each other's water and/or sewer systems without charging a premium for rates. For us to move forward with this agreement a change will need to be made to the ordinance. The proposed change would allow the Board to approve contracts between Waterford and our neighboring communities that would eliminate the rate upcharge for citizens that have to connect to each other's systems out of necessity. Our position is that if a community will waive added rate increases for our citizens, then Waterford is happy to do the same thing in kind.

This change would also allow for a Public Works official to approve the connection of single-family residences to our water and/or sewer system without Board approval. A single-family residence would not put enough demand on our system to justify a Board submittal. If it were something like a business or apartment building that may cause a significant strain on our system, the Board would be asked for approval of the connection.

Please review the attached ordinance amendment prepared by Waterford's attorney Joellen Shortley. The changes would apply to Section 17-064 for sewer connections, and Section 17-328(d) for connections made to our water system.

**Board Action Requested**

**Authorize the attached amendments to Sections 17-064 and 17-328(d) of the Charter Township of Waterford Ordinance.**

**With us there are no boundaries**

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. \_\_\_\_\_

**WATER AND SEWERS ORDINANCE AMENDMENT**

An Ordinance to amend the Waterford Township Code of Ordinances Chapter 17 Water and Sewers Article III Sewers and Sewage Disposal and Article V Water to authorize an Interlocal Agreement with a neighboring municipality to provide for charging the same connection fee for premises lying outside of the Township, as charged to properties inside the Township, if the neighboring municipality reciprocates by agreeing to allow Waterford properties to connect to their system at the same connection rate charged to properties within its boundary.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

Article IIII Sewage and Sewage Disposal, Division 1, Section 17-064 Premises lying outside of Township shall be modified to allow an Interlocal Agreement with a neighboring municipality to provide for the same sewer connection rate for properties outside of the Township, subject to the same requirement for the neighboring municipality, and shall read as follows:

**Sec. 17-064. Premises lying outside of Township.**

Any person whose property lies outside the Township desiring to connect to the sewer system shall be subject to one and one-half (1 ½) times the normal connection fees and one and one-half (1 ½) times the normal quarterly billing rate. Such parties outside of the Township interested in connecting to the sewer system shall provide a letter of no objection from the local governing body of the township or city within which the building or property is located. The Public Works Official may approve a proposed connection from a single residential connection. A proposed business connection of more than one residential proposed connection shall be submitted to the Township Board by the Public Works Official for their review and decision. The Township Board may approve an Interlocal Agreement with a neighboring municipality that provides for the same connection fees for properties outside of the Township as charged to properties inside the Township, if the Agreement allows Township properties to connect to the neighboring municipality at the same rate the municipality charges properties inside of its borders. If the Township Board approves such an Interlocal Agreement, the rate in the Interlocal Agreement shall apply.

**Section 2 of Ordinance**

Article V Water, Division 1, Section 17-328(d) Extension of mains shall be modified to allow an Interlocal Agreement with a neighboring municipality to provide for the same water system connection rate for properties outside of the Township, subject to the same requirement for the neighboring municipality, and shall read as follows:

**Sec. 17-328 (d). Extension of mains**

(d) Any person whose property lies outside of the Township desiring to connect to the water system will be subject to one and one-half (1 ½) times the normal connection fees and one and one-half (1 ½) times the normal quarterly billing rate. Such parties outside the Township interested in connecting to the water system shall provide a letter of no objection from the local governing body within which the building or property is located. The Public Works Official may approve a proposed connection from a single residential connection. A proposed business connection of more than one residential connection shall be submitted to the Township Board by the Public Works Official for their review and decision. The Township Board may approve an Interlocal Agreement with a neighboring municipality that provides for the same connection fees for properties outside of the Township as charged to properties inside the Township, if the Agreement allows Township properties to connect to the neighboring municipality at the same rate the municipality charges properties inside of its borders. If the Township Board approves such an Interlocal Agreement, the rate in the Interlocal Agreement shall apply.

**Section 3 of Ordinance**

The effective date of this Ordinance shall be on the 8<sup>th</sup> day after publication.

**CERTIFICATION**

I certify that this Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on May 23, 2022.

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Date

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Kim Markee, Township Clerk