

## Eagle River Water Service Ordinance

An ordinance to regulate and control the construction, installation, extension, service connection, and operation of public water mains and public water within the Eagle River Water System Service Area ("Existing Water Service Area"), to prescribe procedures for securing such public water service and the rates and charges for the same and to provide penalties for the violation of such ordinance regulations.

The Township of Houghton, Keweenaw County, Michigan, governing body of Eagle River Water Service, ordains:

### Section 1: Title

This ordinance shall be known and hereafter cited as the Eagle River Water Service Ordinance.

**Section 2. Purpose** Township control of Township water supply system; Township's duties; rules and regulations.

**A. Control.** The Township water distribution system shall be controlled, operated, maintained, supervised, and managed exclusively by the Township.

**B. Duties.** The Township's duties shall include, but shall not be limited to, supervision of the Township water distribution system facilities, including, but not limited to, pumping stations, grounds, mains, extensions, wells, tanks, supply pipes, and other sources of water supply; administration of the cross-connection control program; and such other duties as provided by this article or other applicable laws and regulations.

**C. Rules.** The Township is authorized on behalf of the Township to develop, administer, and enforce any rules and regulations as determined necessary by the Township for the management and control of the Township water distribution system, consistent with other applicable laws and regulations. The rules and regulations may govern matters, such as, but not limited to, the type and quality of materials and accessories to be used for connection to the system, construction methods for connection to the system, and other operations and maintenance matters pertaining to the system. A copy of the rules and regulations, as developed by the Township from time to time, shall be kept at the Township clerk's office and shall be available for public inspection during normal business hours.

### Section 3: Procedure

**A. Application.** Any person, firm or corporation desiring public water service within the Existing Water Service Area shall file an application with the Township Clerk, containing the name and address of the applicant; a description of the land or premises to be serviced; the nature of the use anticipated for the water; the size of the water service connection pipes desired; the distance, if known, that the property is located from any existing public water main; and the anticipated number of connections from the property contemplated in the foreseeable future.

**1. Payment.** The owner shall pay for the installation of the required service connection and/or main extension by a qualified contractor. No water service activation shall be allowed until the full new customer charge has been paid to the Township and the plumbing to be connected has been fully inspected and approved by the Township as in compliance with the applicable plumbing codes.

**2. Main Extension; Insurance.** For any approved main extension a map shall be submitted to the Township disclosing the design of the main extension and the location of the mains, valves, fittings, and all other accessories thereto which are to be installed. The amount and

condition of any public liability insurance and property damage insurance that shall be carried by the contractor shall be not less than \$300,000 and \$500,000, respectively.

**3. Materials and Review.** The materials of construction of a water service line and the methods to be used in excavation, placing of the pipe, testing, disinfection, and backfilling the trench shall all conform to the requirements the Township engineering standards, rules, and regulations, the building code, and applicable state rules and regulations. Unless otherwise approved in advance by the Township, all excavations required for the water service line shall be open trench work. No backfill shall be placed until the work has been inspected by the Township in accordance with this section.

No person shall install any water service pipe or connect or disconnect any such service pipe with or from the mains or distribution pipes of the Township water distribution system, nor with or from any other service pipe now or hereafter connected with said system, nor make any repairs, additions to, or alterations of any such service pipe, tap, curb stop, or any other fixture of attachments connected with any such service pipe, without first obtaining from the Township a proper permit for same and the Township's prior written authorization as otherwise provided by this article. No person shall cause water from any main or distribution pipe to flow into any service pipe without first obtaining a permit in writing from the engineering department as provided by this article.

#### **Section 4: Regulations**

**A. Water Rates.** No free public water service shall be allowed, and all those properties connected to a public water system shall be subject to the payment of such water rates and charges as shall be determined by the Township Board.

**B. Termination of Service.** The Township shall have the right to terminate any water service to any premises within the Township when any delinquency exists with respect to any water payments due under this ordinance or otherwise, or where any premises does not comply with all the plumbing codes of the Township and with any and all restrictions and limitations on the use of the particular water service imposed by the Township Board.

**C. Service Deposit.** The Township shall have the right to require an initial deposit from any owner or tenant who applies for water, as security for the payment of the rates and charges for such service, and to apply the same against such rates and charges if and when it deems it advisable. Such deposit or portion thereof not applied shall be refunded to the depositor upon the voluntary termination of service by the depositor and his subsequent applicant for such refund, provided no delinquency then exists.

**D. Lien Rights.** The Township shall secure, as security for the collection of any water rates or any assessments, charges or rentals due or to become due for the use of consumption of water supplied hereunder to any house or other building or any premises, on lots, or parcels of land, a lien upon such house or other building and upon the premises or lots, or parcels upon which such house or other building shall be situated or to which such water was supplied. Such lien shall become effective immediately upon the distribution of the water to the premises or property supplied as aforesaid, but shall not be enforceable for more than three years. Such lien may be enforced by the Township in the manner prescribed by the general laws of this state providing for the enforcement of tax liens, including foreclosure, provided that the provisions of this section shall not be constructed as preventing the Township from suing such owner by action in the name of the Township for the amount so due to it, or as preventing the Township from cutting off such water services from the premises at any time such water charges are in default. All delinquent rates and charges for water service may, after six months' delinquency, be certified to the Supervisor and assessing officer of the Township annually, on or before March

1st of each year and entered by him/her upon the next tax roll against the property served, for collection in the same manner as the collection of taxes.

**E. Turn On/Turn Off.** No person other than an authorized employee of the Township shall turn on or off any water service to any public or private premises at the curb box connection of said premises to the water main. The Township shall have the right to shut off and discontinue supplying water to any and all owners, occupants, property, or premises for any violation of or noncompliance with any requirement of this article or of any rule or regulation adopted by the Township pursuant to this article after giving 30 days' written notice by leaving a copy of the notice at the place where the water is used; provided, however, that the Township shall have the right to immediately shut off and discontinue supplying water to any owner, occupant, property, or premises in cases determined by the Township to be an emergency without any notice whatsoever. The disconnection shall be solely at the property owner's expense. Whenever the water is turned off from any premises because of any such violations or noncompliance, the water shall not be turned on again without the Township's prior written authorization and not until the property owner has paid the disconnection fee, any other applicable charges or penalties, and all other delinquent charges on the associated account. If water service is discontinued under the authority of this section, or as otherwise authorized by this article, neither the Township nor its officials, employees, and/or authorized representatives shall be liable in any way whatsoever for any damage or losses caused by such the discontinuance of water service.

#### **F. Water Meters.**

- 1. Meters Required.** All premises connected to a public water system shall be equipped with a public water meter, so located that all water entering the premises shall pass through such meter and be measured as to volume consumed for periodic computation of water charges.
- 2. Replacement Costs.** Any cost to replace or repair the meter due to damage to said meter resulting from the carelessness of the owner or occupant through neglect to properly protect same shall be assessed to such owner or occupant.
- 3. Meter installation; location and placement; obstruction.** Water meters shall be installed by the Township and set in an accessible location and in a manner satisfactory to the Township. Where the premises contain no basement or other place suitable for meter installation, the meter shall be installed outside in a meter pit or box, the location of which shall be approved by the Township. Where it is necessary to set the meter in a pit or box, such pit or box shall be built at the expense of the property owner as directed by the Township. There shall be a suitable place provided on all connections for a meter, easily accessible and free from all danger of frost. No person shall place any obstruction of any kind over or around the meter that will interfere with the reading or the repair of the meter. All meters shall be otherwise installed in compliance with all Township standards, rules, and regulations.
- 4. Meter acquisition.** All water meters required to be installed by the Township shall be acquired from the Township.
- 5. Township ownership and control of meters.** All required meters shall be maintained by the Township and shall remain the property of and at all times be under the ownership and control of the Township; provided that the plumbing and valves associated with water meters shall be the responsibility of the property owner.
- 6. Meters to be sealed.** All meters and valves on meter bypasses shall be sealed by the Township. No person except an authorized agent or employee of the Township shall break, injure, or tamper with such seals.

- 7. Injury, tampering, relocating, disconnection, interference, etc., prohibited.** No person other than an authorized agent or employee of the Township or a licensed plumber shall change the location of, alter, disconnect, remove, tamper with, or interfere in any way with any meter. The Township is authorized to shut off water service to any premises without notice if the Township determines that a meter's seal has been broken, injured, or tampered with; or that a meter has been relocated, altered, disconnected, removed, or interfered with, as prohibited by this article. If the water is shut off as provided by this section, it shall not be turned on until the noncompliance with the applicable requirements of this article have been corrected to the Township's satisfaction. The expense of turning off and turning on the water shall be paid by the property owner.
- 8. Damage to meters.** Any damage which a meter may sustain resulting from carelessness of the owner or occupant, or from neglect of the owner or occupant to properly secure and protect the meter, as well as any damage which may be caused by frost, hot water, or steam backing from a boiler, and/or any intentional damage to a meter, shall be paid by the property owner to the Township on presentation of a bill therefor. If the bill is not fully and timely paid, the water may be shut off and not be turned on until all charges have been paid to the Township. The expense of turning off and turning on the water shall be paid by the property owner.
- 9. Responsibilities of property owner.** The owner of any premises where a meter is installed shall be held responsible for its care and protection from freezing and from injury or interference by any person. In case of any injury to the meter or in case of its stoppage or imperfect working, the owner of the affected premises shall give immediate notice by telephone to the public works department.
- 10. Meter failure, inaccuracy, or inoperability; repairs; billing.** If the water meter fails or is inaccurate, is suspected to have failed become inaccurate, or becomes inoperable, the property owner shall notify the Township within five calendar days of becoming aware of the failure or inaccuracy. If a meter is damaged or rendered inoperable due to action or neglect of the property owner, the repairs to the meter (and all costs associated with the repairs) shall be the responsibility of the property owner and shall be completed within 30 calendar days. If repairs cannot be completed within 30 calendar days, a timetable for completion of repairs must be submitted to the Township prior to the end of the 30-day period. If a meter has failed, is determined to be inaccurate, or is otherwise inoperable, billing will be based on the average monthly use on the account for the premises for the prior 12 months during which accurate and representative water meter readings were obtained. Once the meter has been repaired and determined to be accurate, the account will be trued up based on three months of accurate monthly readings.
- 11. Access to read, inspect, replace, or test.** The Township shall be provided access to any premises as determined necessary by the Township to read, inspect, replace, or test a meter. Such access shall be provided without prior notice during normal working hours or at any time in an emergency situation. No person shall interfere with the authorized representative of the Township in accessing a premises to conduct the activities consistent with the purposes and requirements of this article.
- 12. Refusal of access.** The Township is authorized to terminate water service to any premises without notice if access has been refused or prevented by any person as prohibited by this article. If the water is shut off as provided by this section, it shall not be turned on until access has been provided as determined necessary by the Township to conduct the inspection, replacement, or test of the meter. The expense of turning off and turning on the water shall be paid by the property owner.

**13. Bypass prohibited; exception; strainer.** All water supplied by the Township water distribution system that is used on any premises shall pass through an approved meter. No connection between the meter and the main shall be made or maintained. A bypass shall be installed only for meters three inches and greater, with a sealed valve placed on the bypass. Meters sized three inches and larger shall have an approved strainer.

**14. Secondary water meter.** At the option of the property owner, an additional water meter, referred to as a secondary water meter, may be installed following Township rules and regulations. The secondary water meter shall allow for the metering of water that is directed exclusively to a sprinkler system or outside spigot or connection such as, but not limited to, a swimming pool, which water would not enter a sanitary sewer system and will not be applied to the calculation of the sewage disposal bill for the property. The provisions of this article regarding the installation, use, and other requirements applicable to a single water meter shall also apply to the secondary water meter.

**15. Advanced metering infrastructure (AMI).** The Township uses an automated AMI system to remotely communicate with water meters, and to measure, collect, and analyze a customer's water usage. If a water customer does not allow the Township to install the necessary AMI equipment on the customer's premises, the property owner shall be subject to a monthly service fee to cover the costs for a Township technician to go to the premises to manually read the water meter. The amount of the monthly service fee shall be as established from time to time by the Township.

**G. Surplus Funds.** Any surplus funds collected from water service, water maintenance, or from capital improvements or extensions thereto shall be deposited into a water improvement revolving fund of the Township for use in further extending, improving, repairing, relocating and/or financing the public water and/or future sewer systems of the Township.

#### **H. Cross Connections.**

**1. No Cross Connection.** No cross connections between any private water system and the Township water system shall be allowed and no plumbing shall, at any time, be connected to the public system, which is in any manner connected or a part of any private system. It shall be unlawful for any person to create, maintain, or to cause or allow the creation or maintenance of, any cross connection (direct or indirect) of a public water supply system (including, but not limited to, the Township water distribution system) and any other water supply system or source, including, but not limited to, a connection between the public water supply system and any of the following:

- a. A secondary water supply.
- b. Any source of water by submerged inlet.
- c. A lawn sprinkler system.
- d. Piping which may contain sanitary waste or a chemical contaminant, including self-contained hydronic boiler systems.
- e. A fire suppression system.
- f. Any other source of potential contaminant (regardless of the source or means of connection).

Nothing contained herein shall restrict the use of existing wells, springs, or other supplies or sources of water for outside irrigation use, provided that there shall be no interconnection between such other sources of water supply and the Township water distribution system.

- 2. Cross connection inspections.** It shall be the duty of the Township to inspect and re-inspect all premises served by the Township water distribution system where cross connections to the system are deemed possible by the Township and as otherwise required by applicable cross connection laws and regulations. In conducting such inspections, the Township shall also conform to the general requirements for inspections as provided by this Ordinance. The frequency of inspections and re-inspections for cross connections shall be established by the Township based on potential health hazards to the Township water distribution system and other factors as determined relevant and appropriate by the Township.
- 3. Access to Premises; Right-of-Entry.** Notwithstanding any other provision or requirement of this article or any other applicable law or regulation, the Township shall have the right to enter any premises, property, or facility for the sole purpose to inspect and examine for cross connections. The Township shall be granted access to all premises, properties, or facilities at all reasonable hours to determine or confirm the possible presence of a cross connection. The Township shall be granted such access to all areas of a premises, property, or facility where the Township believes that there may be piping or other conveyances that could ultimately be connected to the Township water distribution system. Upon the Township's request, the owner or occupant shall furnish the Township any information regarding the piping system of the premises, as determined pertinent by the Township. The owner or occupant's refusal to supply the access or information as provided by this division, at the time requested by the Township, shall be a violation of this Ordinance. Further, the owner or occupant's refusal to grant access or to supply such information when requested shall be deemed evidence of the presence of a cross connection and a violation of this division, subject to such further steps and enforcement as determined necessary and appropriate by the Township and as provided by applicable cross connection laws and regulations, including, but not limited to, discontinuance of service.
- 4. Discontinuation.** The Township is authorized to disconnect water service to a premises, property, or facility, after reasonable notice, for violation of any of applicable cross connection laws and regulations and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the Township water distribution system from cross connections or to otherwise prevent or mitigate a hazard to the public health, safety, or welfare. If the Township determines that there is an existing or potential threat to the public health, safety, or welfare, including but not limited to, poisoning, the spread of disease, or contamination of the public water supply of any kind and from any source, the water service may be terminated immediately. If water service is disconnected as provided by this section, such service shall not be restored until the cross connection has been removed and any other deficiencies or potential hazards have been corrected as required by the Township in accordance with applicable cross connection laws and regulations. The expense of disconnecting, connecting, and turning off and turning on the water shall be paid by the property owner.
- 5. Correction of Violations.** Upon notification by the Township of a violation of this division, the property owner shall promptly correct the violation in compliance with the schedule required and specified by the Township, including any conditions imposed by the Township. The total time allowed for completion of the necessary corrections shall be contingent upon the degree of hazard involved and include the time required to obtain and install any required equipment. The use and installation of any such equipment shall be subject to the Township's prior written approval as otherwise required by this division for use and installation of protective devices. A person's failure to timely complete required corrections as required and specified by the Township is a violation of this division.

**6. Protective Devices.** The Township's written approval shall be obtained for any proposed backflow prevention corrective action or protective device before use or installation. All testable backflow prevention devices shall be tested upon installation and at specified periodic intervals thereafter. The Township may require the filing of a backflow device test report for any installed device on a periodic basis or at such frequency as required by the Township. All testing and maintenance of backflow prevention devices shall be at the owner or occupant's sole expense and shall be performed by a person or entity approved by the Township. The failure to file any required report is a violation of this division and may be deemed evidence of a cross connection subject to an enforcement response by the Township as otherwise provided by this article.

**I. Water Service Connections.**

**1. General.** Where, in the determination of the Township Board, public water service is reasonably available to a particular building in which water service is required, no new private wells shall be drilled to provide such water supply and such buildings shall be connected to the public water system, either at the time of construction, when the existing private well, if any, requires re-drilling, or at any time, in the determination of the Township Board or the Keweenaw County Health Department, a health hazard exists or is fairly imminent from the existing water supply.

**2. Size and Installation.** All new or replacement water service connections from the public transmission main to the required water meter shall be not less than three-quarters (3/4) inch in size and shall be installed at the expense of the property owner.

**3. Under-Road Connections.** In all residential subdivision developments hereafter commenced or extended where, in the determination of the Township Board, public water service is reasonably available and therefore required, one service connection not less than one inch in size shall be installed under the abutting right-of-way to the center of each lot or building site fronting on the opposite side of such right-of-way and terminating in the right-of-way, not more than seven (7) feet from the property line.

**J. Plans and Permits.** No public water main construction shall be commenced until all plans and specifications have been submitted to and approved by the Township and all required state, county and municipal permits have been obtained.

**K. County Health Department Certificate.** No public water mains shall be made or become operational until the water flowing therefrom has been certified as safe and free of any harmful contamination by the county health department and a written certificate attesting thereto is on file with the Township.

**L. Preliminary Deposit.** All applications for public water service requiring preliminary engineering analysis, review, and plans, shall be accompanied by a cash deposit with the Township in such amount as shall be determined by the Township Board to be sufficient to cover the foregoing engineering work necessary to develop preliminary cost estimates for the proposed project.

**M. Water Service Regulations and Rates.** The Township Board shall adopt and prepare for distribution to interested parties, separate rules and regulations governing rates and charges for public water and shall have the authority to modify, enlarge, and amend the separate rules and regulations governing the details of application, service connections, extensions, financing of improvements, and rates and charges for public water from time to time to meet changing conditions and circumstances and to promote the health, safety, and general welfare of the Township.

**N. Water Authority Board.** The Township Board shall act as a Water Authority Board for the Township until such time as it wishes to delegate such duties and position to a separate appointed board or commission, with authority in either to decide all questions which might arise in the interpretation, enforcement, and application of the within ordinance and to grant variances from the requirements thereof where, in its opinion, the health, safety, and general welfare of the Township would not be thereby impaired and the spirit and purposes of the within ordinance would continue to be served.

**O. Subconnection.** The owner or occupant of any building or premises entitled to the use of water from the Township water distribution system shall not supply water to other buildings, premises, persons, businesses, or other entities except upon the prior written permission of the Township.

**P. Stoppages.** The Township shall not be liable under any circumstances for any failure or deficiency in the supply of water to any person whether occasioned by shutting off the water to make necessary repairs of connections or any other cause or reason.

**Q. Contamination of Water Supply Prohibited; Protection from Contamination.** No person shall do any act, permit any act to be done, or fail or neglect to take any action, which may, or may tend to, contaminate, or pollute the Township water distribution system, as determined by the Township. Violation of this section may result in the water being shut off or disconnected by the Township at the property owner's expense as otherwise provided by this article.

**R. Waste of Water Prohibited.** Excessive or unnecessary use or waste of water by any person, whether intentional, or whether caused by carelessness or by defective or leaky plumbing or fixtures, is strictly prohibited, even if the service is metered. For disregard of or repeated violation of this section, the water may be shut off or disconnected by the Township at the property owner's expense as otherwise provided by this article.

**S. Interference with Water System and Hydrants.** The water mains of the Township, whether within or outside of the Township, are under the exclusive control of the Township. No person other than authorized agents or employees of the Township shall disturb, tap, change, obstruct access to, or interfere with the water mains in any way. Township fire hydrants are provided for the sole purpose of extinguishing fires and are to be opened and used only by the Township and the fire department or by persons authorized by the Township. No person shall in any manner obstruct or prevent free access to, or place or store, temporarily or otherwise, any object, material, snow, debris, or structures of any kind within a distance of 15 feet of any fire hydrant. Any such obstruction when discovered by the Township may be removed at once by the Township or the fire department at the expense of the person responsible for the obstruction.

**T. Compliance with laws, ordinances, codes, rules, and regulations.** All connections with the Township water distribution system shall comply with all applicable laws, ordinances, codes, regulations, and rules:

1. The Michigan Safe Drinking Water Act, Act 399 of the Public Acts of 1976, as amended; and the associated water supply cross connections rules, Michigan Administrative Code, R 325.11401 - R 325.11407, as amended (the "state water supply cross connection rules"). (The Township hereby adopts by reference the state water supply cross connection rules).
2. The Houghton Township Code of Ordinances including this article and all other sections of the Code of Ordinances pertaining to water supply or plumbing matters, as amended.
3. The latest editions of the Michigan Plumbing Code, the Michigan Building Code, and the Michigan Residential Code, as adopted by the Township, as amended.



4. Any rules or regulations adopted by the Township pertaining to water supply or plumbing matters, as amended.

This division does not supersede any law, ordinance, code, rule, or regulation, but is supplementary to them. Except as otherwise determined and directed by the Township, the most stringent or restrictive provisions applicable to cross connections shall control, whether established by this division or by such other applicable law, ordinance, code, rule, or regulation. Further, if there is any conflict or inconsistency between the provisions of this division with respect to cross connections and the provisions of any other law, ordinance, code, rule, or regulation regarding cross connections, the provisions of this division shall control; and if there is a question or ambiguity with regard to whether or not there is a conflict or inconsistency between the provisions of this division and the provisions of any other law, ordinance, code, rule, or regulation, the question or ambiguity shall be resolved by the Township.

**U. Water Use Restriction.** It is recognized that conditions may arise as a result of a prolonged drought, or a prolonged period of heavy water demand, or as a result of damage or breakdown of an element of the Township water distribution system, or a combination of such factors, that could result in a water supply emergency that would negatively affect operating flows and residual water pressures in substantial portions of the water distribution system, with no apparent means immediately available to adequately maintain flows and pressures throughout the system. If such a situation arises, it may be in the interests of public health, safety, and welfare to limit the nonessential use of water (including, but not limited to, lawn sprinkling) to preserve, to the extent possible, sufficient water pressure and flow for drinking and other essential domestic uses, and for fire safety, and essential industrial uses. The purpose of this division is to provide authority for the Township to declare an emergency and limit the nonessential uses of water if determined necessary by the Township.

**Section 5: Penalty**

Any violation of the provisions of this ordinance shall constitute a misdemeanor, punishable by a fine of up to \$100 and/or imprisonment in the county jail for up to 90 days. Each day that a violation continues to exist shall constitute a separate offense. The foregoing fines and penalties shall be in addition to the right of termination of public water service to a violator, the right to obtain injunctive relief in a court of law, and seek reimbursement for damages to Township property caused by a violation. This section shall not affect the sections provided for by any state or local law for a violator's failure to comply with a judgment of the district court, nor shall this section in any way limit or restrict the authority of the court to enforce its orders by appropriate sanctions or actions. This section shall not restrict, limit, or bar any action permitted under any other provision of law.

A violation of this article (or of any notice, order, decision, or determination promulgated, issued, or made by the Township under this article) is deemed to be a public nuisance and shall be corrected or abated as directed by the Township. In addition to any other legal or equitable remedies available under the law, any person creating a public nuisance shall be subject to the provisions of state law, this article, or other ordinance of the Township governing such nuisances, including reimbursing the Township for any costs incurred in removing, abating, or remedying the nuisance, as applicable.

The Township (in conjunction with the Township's legal counsel) may institute legal proceedings in a court of competent jurisdiction to seek all appropriate relief for violations of this article or of any notice, order, decision, or determination promulgated, issued, or made by the Township under this article. The action may seek temporary or permanent injunctive relief, damages, penalties, costs, and any other relief, at law or equity, that a court may order. The Township

may also seek collection of fines, penalties, and any other amounts due to the Township, that a person has not paid.

The imposition of a single penalty, fine, notice, or order upon any person for a violation of this article, or of any notice, order, decision or determination promulgated, issued or made by the Township under this article, shall not preclude (or be a prerequisite for) the imposition by the Township, or a court of competent jurisdiction of a combination of any or all of those sanctions and remedies or additional sanctions and remedies with respect to the same violation, consistent with applicable limitations on penalty amounts under state or federal laws or regulations. A criminal citation and prosecution of a criminal action against a person shall not be dependent upon and need not be held in abeyance during any civil, judicial, or administrative proceeding, conference, or hearing regarding the person.

**Section 6: Exception**

The Township, acting pursuant to rules, regulations, and guidelines adopted by the Township, may grant additional exceptions to the requirements of this article based on unique circumstances existing in a particular case with regard to a particular lot or parcel and where strict application of the requirements would result in unnecessary hardship not self-created by the property owner or the owner's predecessors in interest.

**Section 7: Saving Clause**

In any section, paragraph, clause or provision of this ordinance shall be held invalid for any reason, the same shall not affect the validity of any of the other provisions of this ordinance, which shall remain in full force and effect.

**Section 8: Effective Date**

This ordinance shall take effect \_\_\_\_\_, 2024. All ordinances or parts of ordinances in conflict are hereby repealed.

This Ordinance was offered for adoption by Township Board Member \_\_\_\_\_ and was seconded by \_\_\_\_\_, the vote being as follows:

Member	Yea	Nay	Absent/Abstain
Ray Chase, Supervisor			
Wanda Kolb, Clerk			
Mary Long, Treasurer			
Tom Hall, Trustee			
Steve Kline, Trustee			

**ORDINANCE DECLARED ADOPTED:**

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Wanda Kolb  
Houghton Township Clerk

**CERTIFICATION:**

I hereby certify that the above is a true copy of an ordinance adopted by the Houghton Township Board at a regular meeting held at the Houghton Township Community Center on \_\_\_\_\_, at \_\_\_\_\_ p.m. pursuant to the required statutory notice and procedures.

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Wanda Kolb  
Houghton Township Clerk