## CHARTER TOWNSHIP OF GENESEE GENESEE COUNTY, MICIDGAN

**ORDINANCE NO. 597**

AN ORDINANCE AMENDING THE GENESEE TOWNSHIP ORDINANCES BY THE ADDITION OF AN ORDINANCE MANDATING COMPLIANCE WITH DEPARTMENT OF PUBLIC WORKS SERVICE REQUIRMENTS; PROVIDING FOR RIGHT OF ENTRY AND FEES REGARDING SAME AND PROVIDING FOR AMENDMENT OF FEES BY RESOLUTION OF TOWNSHIP BOARD

**THE CHARTER TOWNSHIP OF GENESEE ORDAINS:**

**SECTION** I

This ordinance shall be known as and may be cited as the Chatter Township of Genesee DPW Compliance Ordinance.

**SECTION** II

Ordinance **#597** is hereby added to the Genesee Charter Township Code of Ordinances as follows:

**Ordinance 597: Department of Public Works Right of Entry onto Property; Shut Off; Fees.**

1. PREAMBLE: The Township Department of Public Works is required from time to time by State mandates, statutes, the Environment Great Lakes and Energy, and otherwise, to perform services related to properties within the Township and on the properties within the Township including, but not limited to, meter reading and replacement and water testing. These services further the interest in the public safety and welfare of the Township and its residents. To that end, for the Township's expenditure of additional resources and time to ensure necessary access to complete those services, the refusal to allow and provide the Township and its Depaitment of Public Works Official or his or her designee (hereinafter "De partment"), access to a property for such reasons shall result in a fee to the property owner(s), occupier(s), and lessee(s) and/or a discontinuation of services until compliance is gained.
2. Right of Entry; Shut Off; Fees.
	1. The Department, at all reasonable business hours, shall have the right to enter onto the prope1ty and to request entry into any structure on the property where meters are installed, or where entry is required as described in section A, above,

for the purpose of reading, testing, removing, or inspecting. No person shall hinder, obstruct, or interfere with an employee in the lawful discharge of his or her duties in relation to the maintenance and reading of these meters. The Department shall have the right to shut off the supply of water to any premises where admittance has been refused.

* 1. At the discretion of the Department, in lieu of or in addition to shut off, a fee may be charged to the property owner, occupier, and/or lessee for the added time and expense necessarily expended by the Department to gain access. Said fee shall be initially set at fifty dollars ($50.00) for each incident and shall amended from time to time by Resolution of the Township Board. The amount of the fee shall cover the cost of inspection and supervision resulting from the enforcement of this ordinance.

# SECTION III

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

# SECTION IV

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

# SECTIONV

This Ordinance shall be published in a newspaper of general circulation within the Charter Township of Genesee, Genesee County, Michigan, and shall become effective immediately upon publication.

# SECTION VI

A copy of this Ordinance may be inspected at the Township Clerk's Office at the Genesee Township Hall, 7244 N. Genesee Rd., Genesee, MI 48437 during regular business hours.

# ON MOTION DULY MADE BY: AND SECONDED BY:

Sutton Witte

# YEAS: 5

**NAYS:** 0 Absent: 2

We hereby certify that the foregoing Ordinance was adopted on the Second Reading by the Township Board of the Charter Township of Genesee at its meeting on December 1 Q , 2019.

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| First Reading: November 12 | , 2019 |
| Second Reading: December 10 | , 2019 |
| Published on: December 25 | , 2019 |



Wayne

tes, Clerk