



CITY COUNCIL AGENDA ITEM

Date: March 14, 2016

To: Brian Kischnick, City Manager

From: Tom Darling, Financial Services Director
Tim Richnak, Public Works Director
Paul Troser, Superintendent of Water and Sewer

Subject: Report on the Proposed Amendments to Chapter 18, 19, and 20 of the City Code

History

The City of Troy entered into a contract with the Detroit Water and Sewerage Department (DWSD) to purchase water at wholesale rates in May 2008. This is a 30 year contract that provides an option for automatic 10 year extensions.

In September of 2014 a Memorandum of Understanding (MOU) was executed by the City of Detroit, Macomb County, Oakland County, Wayne County and The State of Michigan regarding the formation of The Great Lakes Water Authority (GLWA)

The City Council conducted a study session on August 10, 2015 regarding the Great Lakes Water Authority and specifically the assignment of the water contract from DWSD to the GLWA. Bob Daddow, Chairman of the GLWA Board of Directors, and Sue McCormick, GLWA Interim CEO, provided a presentation reviewing the agreements, impact and transition from DWSD to GLWA.

On September 28, 2015, City Council approved transferring The City of Troy Water Service Contract from DWSD to GLWA, Resolution # 2015-09-130.

On January 1, 2016, GLWA assumed management and control of the DWSD regional water system.

When there is an assignment of contracts, we also review our city ordinances to see if revisions are required. In addition to making the changes to reflect GLWA as the new owner, there are a few other recommended revisions to Chapter 18 – City Water Utility Chapter 19- Sanitary Sewer Service and Chapter 20 – Water and Sewer rates of the City Code.

This report is provided to you as an information item in advance of any required City Council action. It is hoped that these proposed revisions can be included as an action item on the March 21, 2016 City Council agenda

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

Date

TR/pt\AGENDA ITEMS\02.22.16– Chapter 18, 19, 20 Amendments

AN ORDINANCE TO AMEND CHAPTER 18 - CITY OF TROY ORDINANCE

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 18- City of Troy Ordinance.

Section 2. Amendment

Sections 12, 15, 16, 17, 18, 19, 20, 21 and 22 shall be amended as follows:

12. Outdoor Water Use Restrictions

12.01

The City of Troy, through its contract with the ~~Detroit Water and Sewerage Department~~ **Great Lakes Water Authority**, is obligated to take steps to insure that whenever possible, the use of the municipal water system shall be used during the non-peak hours of 11 pm to 5 am. To satisfy this contractual commitment, the following municipal water use regulations are in effect:

- A. For those properties in the City of Troy that are serviced by an underground irrigation system, outdoor watering, including the sprinkling of lawns and landscaping, shall be only done during the non-peak hours of 11 pm to 5 am.
- B. A water user may manually irrigate landscaping at any time, provided the irrigation is not connected to an underground system, and is attended and monitored by the water user.
- C. If the above provisions create a practical hardship for a municipal water user, the municipal water user can petition the Superintendent of the Department of Water and Sewer or his/her designee, asking for relief from one of the above referenced restrictions. The petition shall set forth the requested relief, and shall detail the extraordinary circumstances that would justify the requested relief, as well as the duration of the requested relief. The Director of Public Works or his/her designee can grant or deny or modify the petition, taking into consideration the contractual obligations of the City, as well as the articulated circumstances of the petitioner. The decision of the Director of Public Works or his/her designee shall be final.
- D. Any person, firm, or corporation violating any of the provisions, as set forth in paragraphs A and B, without obtaining relief, as provided in paragraph C, shall be responsible for a municipal civil infraction, in accordance with the provisions of Chapter 100 of the City of Troy ordinances.

12.02 Whenever the City Manager or his/her designee receives notification from the Great Lakes Water Authority ~~Detroit Water and Sewerage Department~~ or the City Council or the Michigan Department of Environmental Quality that current conditions of the water system of the City are likely to endanger the general welfare of the City, then additional emergency regulations can be imposed on all properties connected to the City water system, including an absolute temporary ban on sprinkling of lawns and landscaping and all outdoor water use.

Within 24 hours of notification, as set forth above, any additional emergency regulations shall be posted at the City offices and publicly announced by means of broadcasts or telecasts by the stations with a normal operating range covering the City. The announcement may also be further declared in newspapers of general circulation when feasible. The regulations shall become effective immediately upon the posting and publication of the additional emergency regulations. Upon notification from the Great Lakes Water Authority ~~Detroit Water and Sewerage Department~~ in connection with the Michigan Department of Environmental Quality or the City Council, that the emergency regulations are no longer necessary, the City shall cause a public announcement lifting the water restrictions.

Cross Connections

15. It shall be unlawful for any person to make or maintain, or allow to be made or to be maintained, upon property owned or controlled by such any person or entity, a cross-connection between the potable public water supply system and a secondary water supply system. ~~The City adopts, by reference, the water supply cross-connection rules of the Michigan Department of Public Health, being R325.431 to R-325.440 and amendments, inclusive, of the Michigan Administrative Code.~~
16. It shall be the duty of the Public Works Director ~~Superintendent of Public Services~~ of the City of Troy or his/her authorized agent, to cause inspections to be made of all properties served by the public water supply system. ~~where cross-connections with the public water supply are deemed possible.~~ The frequency of inspections and re-inspections, based upon potential health hazards involved, shall be established by the Public Works Director or his/her designee. ~~Superintendent of Public Services, and as approved by the Michigan Department of Public Health.~~
- 17A. Backflow Preventer Testing. The Public Works Director or his designee shall require testing for backflow preventers to be completed by private individuals or companies, as required by the Michigan Department of Environmental Quality, the State Plumbing Act, or otherwise required by law. The cost for the required testing shall be borne by the property owner. If the Public Works Director or his/her designee opines that there are emergency circumstances that require immediate testing, the Public Works Director may hire a licensed plumber to perform such testing, with the cost to be borne by the customer.
- 17A. Fees. ~~The testing for cross-connections and backflow prevention devices shall be accomplished by the authorized personnel of the Public Services Department; a fee for such tests shall be charged to the owner and/or occupant based upon the average time and material costs as determined from time to time by the Public Services Department.~~

- 17B. Notice of Violation; Compliance Period of Time. The **Public Works Director, the Cross Connection Control Inspector,** ~~Superintendent of Public Services,~~ or his or her duly authorized agent, upon determining that a violation of the provisions herein exists, shall notify the owner and/or the occupant of the property so affected, in writing, of the nature of the violation, ~~said notice to include a~~ **including a** period of time for compliance which shall be commensurate with the degree of the hazard involved, ~~but in no case shall that period of time exceed nine (9) months.~~ **Such notice shall be deemed properly served if a copy is personally served or sent by regular mail to the occupant and/or owner at the address that is listed on the City of Troy Assessing Records.** Violations which pose an extreme hazard ~~may~~ **will** be disconnected immediately. The **owner or occupant's** failure to correct the violation within the period of time prescribed, and each day thereafter, shall constitute a separate violation of this Chapter.
18. The **Public Works Director** ~~Superintendent of Public Services,~~ or his or her representatives, shall have the right to enter, at any reasonable time, any property served by a connection to the public water supply system of the City for the purpose of inspecting the piping system or systems thereof for the cross-connections. Upon request, the owner or occupants of any property so served shall furnish ~~to the inspection agency~~ 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 (prima facie) evidence of the presence of cross-connections. If there is a refusal, the City is authorized to discontinue services upon ~~(Sixty (60) Thirty (30) days~~ **Thirty (30) days** written notice by regular mail given to ~~(the last known address of) the occupants and/or owner (and/or) occupants,~~ **as listed on the City of Troy Assessing Records.** The City is also authorized to pursue a Court order to obtain access to the premises.
19. The **Public Works Director** ~~Superintendent of Public Services,~~ or his or her authorized agent, is hereby authorized, ~~any~~ **and** may direct the discontinuance of water service after giving ~~sixty Thirty (30 60) days~~ **Thirty (30 60) days** ~~advance~~ written notice, to any **occupant and/or** property owner ~~and/or occupant,~~ **by personal service or regular mail to the address listed on the City of Troy Assessing Records, its last known address, wherein** if any connection is in violation of this Chapter, and ~~to~~ **may** take such additional precautionary measures which may be deemed necessary to eliminate any danger of contamination of the ~~potable public~~ **potable** water supply system. Where it is determined that the ~~potable public~~ **potable** water supply system is being contaminated, such services may be terminated immediately. Water service to such property shall not be restored until any cross-connection has been eliminated in compliance with the provisions of this Chapter.
20. The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination, as specified by this Chapter, ~~and~~ **by the State of Michigan Safe Drinking Water Act, the Michigan Plumbing Code and the Michigan Residential Code, which are all incorporated by reference.** ~~and City Plumbing Code.~~ Any water outlet which could be used for potable or domestic purposes, and which is not supplied by the potable system, must be labeled in a conspicuous manner as "Water Unsafe For Drinking".
21. This Chapter shall supplement the ~~State~~ **Michigan** Plumbing Code and ~~the~~ **Michigan**

~~Residential Code and the Safe Drinking Water Act City of Detroit Plumbing Ordinance No. 849E~~ which ~~are~~ has been adopted by the City of Troy Reference ~~and incorporated~~. If a conflict should occur, the Code ~~Regulation~~ which is most restrictive shall govern.

22. Any person who shall ~~violates~~ any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined ~~an amount~~; not exceeding Five Hundred and 00/100 (\$500.00) Dollars, or by imprisonment, ~~not to exceed of up to~~ ninety (90) days, or both. ~~such fine and imprisonment, in the discretion of the Court.~~ ~~Each day upon which a violation of the provisions of this act occur shall be deemed a separate and additional violation.~~

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, _____.

Dane Slater, Mayor

M. Aileen Dickson, CMC, City Clerk

AN ORDINANCE TO AMEND CHAPTER 19 - CITY OF TROY ORDINANCE

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 19- City of Troy Ordinance.

Section 2. Amendment

Sections 19.01, 19.03, 19.04, 19.07, 19.08, and 19.10 shall be amended as follows:

19.01.00 **DEFINITIONS.** In the interpretation of this chapter the following definitions shall apply unless the content clearly indicates otherwise:

19.01.02 ~~Building Department Inspector~~ shall mean the employee or employees of the City of Troy's ~~Building Department~~, who is responsible for the inspection of the privately owned and maintained On-site Sewage Disposal Systems within the City of Troy.

19.01.07 ~~DWSD shall mean the Detroit Water and Sewerage Department.~~
GLWA shall mean the Great Lakes Water Authority.

ON-SITE SEWAGE DISPOSAL SYSTEMS

19.03.03 Maintenance of System. The owner shall operate and maintain the OSDS facilities in a sanitary manner at all times at no expense to the City. Maintenance of the OSDS shall include:

1. Having a fixed interval inspection and evaluation performed by City staff **or the Oakland County Health Department** every four (4) years, this shall consist of:
 - (A) Pumping of the septic tank at the time of inspection by a state licensed septage hauler.
 - (B) Information gathering on the maintenance, including frequency of pumping of the septic tank.
 - (C) Visual and olfactory observations and inspections of the condition of the septic tank, absorption system, pumps, filters, and other important features of the OSDS
 - (D) Preparation of a report.
2. Having the septic tank pumped on an as needed basis to ensure a satisfactory operation of the system.
3. Repairs. The cost of all repairs, maintenance and replacements of existing On-site Sewage Disposal Systems shall be borne by the property owner. The owner shall

make an application to perform such work to the ~~Building Department~~ Inspector and ~~or~~ the Oakland County Health Department.

- 19.03.04 Inspections. The City of Troy ~~or the Oakland County Health Department~~ will notify the property owner when the building sewer and OSDS are required to have an inspection. The ~~Building Department~~ Inspector shall ~~may~~ then inspect said OSDS and associated appurtenances to determine if the system is operating satisfactorily or is failing.
- 19.03.06 If the OSDS and associated appurtenances do not meet the requirements for a functioning septic system, then the system will be considered a failing system. The owner of the property will be required to have the system repaired. The property owner will be responsible for obtaining all necessary repair permits from the Oakland County Health Department. Once the repairs have been completed, the property owner will be required to have the OSDS inspected again by the ~~Building Department~~ Inspector to ensure that the system is working properly.
- 19.03.07 Inspection Fee. All ~~mandated~~ OSDS inspections, ~~as set forth above, shall be made only with written authorization and inspection reports issued by the City and with~~ ~~require the property owner to~~ pay ~~the inspection fee, ments of fees as shall be established from time to time by the City Council,~~ ~~The fees and charges shall be related to actual costs incurred directly or indirectly to implement the On-site Sewage Disposal System Inspection Program.~~

BUILDING SEWERS AND CONNECTIONS

- 19.04.05 Plans and Inspection of Plumbing Construction. All applicants for sewer connection permits shall first allow the ~~City Plumbing Inspection~~ ~~Inspector~~ to inspect the premises to be connected. The inspector shall determine whether present plumbing facilities are free from all safety hazards. ~~Prior to making any connection, the~~ ~~The~~ property owner ~~prior to connection~~ shall make all changes and improvements in the system required by the Plumbing Inspector ~~to the~~ ~~City sewer.~~

PROHIBITED USES

- 19.05.02 Except as hereinafter provided, no person shall discharge any industrial or commercial type wastes into the Troy sewer system, which is deleterious to the public health and safety of the people of the City of Troy. Any waste will be considered deleterious that may cause damaging effects as stated under General Conditions and/or does not conform to the limitations stated under Specific Conditions.
- (1) General Conditions:
- (A) Chemical reaction, either directly or indirectly, with the materials of construction to impair the strength or durability of sewer structures.
 - (B) Mechanical action that will destroy or damage the sewer structures.
 - (C) Restriction of the hydraulic capacity of sewer structures.

- (D) Restriction of the normal inspection or maintenance of the sewer structures.
- (E) Placing of unusual demands on the sewage treatment equipment or process.
- (F) Limitation of the effectiveness of the sewage treatment process.
- (G) Danger to public health and safety.
- (H) Obnoxious conditions inimical to the public interest.
- (I) Any conditions not listed above that are prohibited by the ~~DWSD~~ **GLWA** or are prohibited by the MDEQ and/or Federal Clean Water Act.

(2) Specific Conditions:

- (A) Acidity or alkalinity must be neutralized to a pH of 7.0 as a daily average on a volumetric basis, with a maximum temporary variation of pH 5.0 to 10.0.
- (B) Must not contain more than 10 P.P.M. of the following gases: Hydrogen sulfur dioxide, oxides of nitrogen, or any of the halogens.
- (C) Must not contain any explosive substance.
- (D) Must not contain any flammable substance with a flash point lower than 187 degrees F.
- (E) Must have a temperature within the range of 32 degrees to 150 degrees F.
- (F) Must not contain grease or oil or other substance that will solidify or become viscous at temperatures between 32 degrees and 150 degrees F.
- (G) Must not contain insoluble substance in excess of 10,000 P.P.M. or exceeding a daily average of 500 P.P.M.
- (H) Must not contain total solids (soluble and insoluble substance) in excess of 20,000 P.P.M., or exceeding a daily average of 2,000 P.P.M.
- (I) Must not contain soluble substance in concentrations that would increase the viscosity to greater than 1.1 specific viscosity.
- (J) Must not contain insoluble substance having a specific gravity greater than 2.65.
- (K) Must not contain insoluble substance that will fail to pass a No. 8

- standard sieve, or having any dimension greater than 1/2 inch.
- (L) Must not contain gases or vapors, either free or occluded, in concentrations toxic or dangerous to humans or animals.
 - (M) Must not have a chlorine demand greater than 15 P.P.M.
 - (N) Must not contain more than 100 P.P.M. of an antiseptic substance.
 - (O) Must not contain phenols in excess of .005 P.P.M.
 - (P) Must not contain any toxic or irritating substance, which will create conditions hazardous to public health and safety.
 - (Q) Must not contain in excess of 100 P.P.M. or exceed a daily average of 25 P.P.M. of any grease or oil or any oily substance.
 - (R) Must meet all requirements for discharging into the ~~DWSD~~ **GLWA** public sanitary sewer system.

All of the preceding standards and regulations are to apply at the point where industrial or commercial type wastes are discharged into a public sewer and all chemical and/or mechanical corrective treatment must be accomplished to practical completion before this point is reached.

PRELIMINARY TREATMENT FACILITIES

- 19.07.01 Preliminary Treatment Facilities. The admission into the public sewers of any waters or wastes having (1) a five (5) day BOD greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of suspended solids, or (3) containing any quantity or substance having the characteristics described in Section 19.05.02 or (4) having a daily average flow greater than two (2%) percent of the average daily sewage flow of the City of Troy, shall be subject to the review and approval of the City Council and/or the MDEQ or the **GLWA** ~~DWSD~~. Where necessary in the opinion of the City Council and/or the MDEQ or the **GLWA** ~~DWSD~~, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the BOD to 300 parts per million and the suspended solids to 350 parts per million by weight, or (2) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 19.05.02, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to the proposed preliminary treatment facilities shall be submitted for approval of the City Council and/or of the MDEQ or the **GLWA** ~~DWSD~~ and no construction of such facilities shall be commenced until said approvals are obtained in writing.
- 19.07.03 Control Manholes. When required by the City Council and/or the MDEQ or the **GLWA** ~~DWSD~~, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be

accessibly and safely located, and shall be constructed in accordance with plans approved by the City Council. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

PROTECTION FROM DAMAGE

- 19.08 No unauthorized person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment, which is a part of the municipal sewerage system. No person, firm or corporation shall place earth, debris, landscaping or other materials in a manner that will obstruct, obscure or prevent normal access to or operation of any manhole, siphon chamber, pumping station, meter chamber or other sewerage system appurtenance. The Troy Superintendent of Water and Sewer or his/her designee may order the removal of said materials by City personnel or contractors. The expenses incurred in the removal shall be a debt to the City from the responsible person, firm or corporation, and shall be collected as any other debt to the City.

ENFORCEMENT - PENALTIES

- 19.10.01 Inspectors. ~~The Building Department Inspector of the City of Troy~~ and other duly authorized officials or employees of the City and agents of the MDEQ, Oakland County Health Department, or the GLWA DWSD bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this chapter at any time during reasonable or usual business hours. Any person guilty of refusing or obstructing such entry shall be guilty of a violation of this code.
- 19.10.02 Notice to Cease Violation. Any person found to be violating any provisions of this chapter except Section 19.04.08, 19.05.01, 19.05.02, ~~19.05.04~~, 19.08, and 19.10.03 shall be served by the City of Troy with written notice stating the nature of such violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, take corrective action as may be necessary.

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal

regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, _____.

Dane Slater, Mayor

M. Aileen Dickson, CMC, City Clerk

AN ORDINANCE TO AMEND CHAPTER 20 - CITY OF TROY ORDINANCE

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 20- City of Troy Ordinance.

Section 2. Amendment

Sections 16, 17 and 18 shall be amended as follows:

16. Non-residential Flow Surcharge: The City of Troy shall pay a quarterly non-residential surcharge as established from time to time by the ~~Oakland County of Oakland~~ **Water Resources Commissioner or his/her representative, the** State of Michigan, or its authorized representative, ~~or the Detroit Water and Sewer Department~~ **Great Lakes Water Authority** and adopted by Resolution of the Troy City Council. The non-residential surcharge shall be based on the total number and size of water meters used by non-residential users of the system. Where metered water is not available, the Assigned Water Meter size shall be reported by the City in accordance with the following schedule:

<u>Units Assigned in Accordance With the Current Oakland County Department of Public Works Schedule of Unit Assignment Factors</u>	<u>Assigned Water Meter Size</u>
1 - 4	5/8" and 3/4"
5 - 10	1"
11 - 20	1-1/2"
21 - 32	2"
33 - 64	3"
65 - 100	4"
101 - 200	6"

The City shall report quarterly **to the Oakland County Water Resources Commissioner and/or the Great Lakes Water Authority** the total number and size of water meters used by non-residential users or alternatively, the Assigned Water Meter size pursuant to the above schedule.

17. Sanitary Wastewater Disposal Charge: The City of Troy shall pay a sanitary wastewater disposal charge. This charge shall be **a fixed annual fee as established by the Oakland County Water Resources Commissioner.** ~~based on readings of the master water meters serving the Southeastern Oakland County Communities.~~

~~From these meter readings the water consumption of each municipality shall be determined. Water consumption shall be the basis for sanitary wastewater disposal charges using the formula of rate per 1,000 cubic feet, said rate as established from time to time by the Oakland County Drain Commissioner, and adopted by Resolution of the Troy City Council. If the City has individual sewer customers with metered sewage, the City shall report within 15 days following the end of each calendar quarter the total metered sewage in the City, in lieu of water consumption. Based on the quarterly report, each community shall pay a charge per 1,000 cubic feet of metered sewage, as established from time to time by Oakland County or the Detroit Water and Sewer Department, and adopted by Resolution of the Troy City Council. The rate for sewage disposal based on the metered~~

sewage method shall be 110% of the rate established for the master meter water method.

18. Storm Water Disposal Charge:

- ~~1) Evergreen-Farmington Sewage Disposal System: The City shall pay a charge for disposal of storm water in proportion to the area in the City served by combined sewers in the Evergreen-Farmington Sewage Disposal System and by the recorded duration of the spill at the Acacia and Bloomfield Regulators. Said charge will be as established from time to time by Oakland County or the Detroit Water and Sewer Department, and acknowledged by Resolution of the Troy City Council.~~
- ~~2) Southeastern Oakland County Sewage Disposal System (S.O.C.S.D.S.): The entire flow from the S.O.C.S.D.S. enters the Detroit treatment plant through the Dequindre Interceptor, which contains a master meter. The metered flow is reduced by the amount of water consumption for the system. This reduced flow shall be multiplied by a land use factor to determine the City's share of the flow. Storm water disposal charges shall be determined by using a formula of rate per 1,000 cubic feet, as established from time to time by the Oakland County Drain Commissioner, and acknowledged by Resolution of the Troy City Council.~~

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the

_____ day of _____, _____.

Dane Slater, Mayor

M. Aileen Dickson, CMC, City Clerk