

GOVERNMENT AGENCY SERVICES COST RECOVERY
Ordinance No. 784
Adopted: February 8, 2016

An ordinance to recover expenses incurred for services rendered by the Charter Township of Fenton and/or the Genesee County Road Commission and/or the Genesee County Drain Commissioner that benefit individual parcels of land.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definitions

- A. "Township" shall mean the Charter Township of Fenton
- B. "County Agency" shall mean the Genesee County Road Commission and/or the Genesee County Drain Commissioner.
- C. "Improvements or repairs to individual parcels of land" shall mean any improvement, repair or service provided by the Township or County Agency that benefits the owner of an individual parcel of land. Examples include, but are not limited to, sanitary sewer leads, driveway culverts and storm drain pipes or structures.

SECTION 2. Applicability

When the Charter Township of Fenton expends funds or is invoiced by a County Agency for improvements or repairs made to individual parcels of land within in the Township, the Township shall present an invoice to the owner of the parcel benefitted for payment to the Township.

This Ordinance is not intended to require reimbursement for improvements to County or Township infrastructure that benefits the township at large, but rather to require reimbursement for improvements that benefit individual property owners.

SECTION 3. Cost Determination

- A. The Township Supervisor or his/her designee shall review any invoices or scope of work undertaken by the Township or County Agency and determine what percentage is attributable to the individual property owner, and shall invoice the property owner, in writing, by first class mail for the cost of the improvement.
- B. The amount owed shall be paid to the Township within 45 days of receipt of the invoice.

SECTION 4. Delinquencies

Failure to remit the balance due within 45 days of receipt of the invoice will result in the past due amount being placed on the property tax bill of the benefiting property together with a 10% penalty.

SECTION 5. Repeal

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Severability

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

SECTION 7. Effective Date

This ordinance shall be published as require by law and shall become effective immediately upon publication.

Enacted at a regular meeting of the Fenton Township Board held on the 8th day of February 2016.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk