

STATE OF MICHIGAN
COUNTY OF HILLSDALE
VILLAGE OF WALDRON
ORDINANCE NO. 32-04

THE VILLAGE OF WALDRON HEREBY ORDAINS:

Section 1. The operation, maintenance, alteration, repair and management of the Water System (hereafter referred to as the System) shall be under the supervision and control of the Village Council. Said Council may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the water system and may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the System.

Section 2. Rates to be charged for service furnished by the System shall be set by resolution of the Village Council.

Section 3. No free service shall be furnished by said system to any person, firm or corporation, public or private, or to any public agency or instrumentality.

A) The owners of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the boundaries served by the System and abutting any street, alley or right of way in which there is now located or may in the future may be located a public Water System are hereby required at their expense to connect in accordance with the provisions of this ordinance within sixty days after date of official notice to do so.

B) All houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the Village of Waldron and located within 200 feet of the System shall be required to connect to the water System.

C) No unauthorized person shall, make any connections with or opening into, or use, alter or disturb any public water system appurtenances without first obtaining a written permit from the operator of the System.

Section 4. The rates hereby fixed are estimated to be sufficient to provide for the expenses of administration and to preserve the same in good repair and working order, and to provide for such other expenditures and funds for said System as this ordinance may require. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts.

Section 5. Moneys may be invested in obligations of the United States of America, in the manner and subject to the limitations provided in Act 94, Public Acts of Michigan, 1933, as amended.

Section 6. Water System Use Charges. System ready to use charges to each single-family residential premises served by the System shall have a flat rate per month of \$13.50 as set by council. In addition to the ready to use charge a fee of \$3.50 per 1000 gal. as set by council.

Section 7. Tap Charges. Each premises tapping into the System and securing there from services shall pay, in cash, at the time of application for the tap a charge in such amount as will compensate the Village for the cost of making and inspecting the tap.

Section 8. Special Rates. For miscellaneous or special services a special rate shall be established by the Village Council.

Section 9. Billing. Bills will be rendered monthly payable, without penalty, within fifteen days after the date thereon. Payments received after such period shall bear a penalty of 10% of the amount of the bill.

Section 10. Enforcement. (MCL 71.6) Sec. 6. The council shall establish just and equitable water rates to be charged and paid for water supply. The council may periodically, modify, amend, increase, or diminish the water rates. The council may prescribe by ordinance when and to whom such water rates shall be paid, and what steps shall be taken to enforce payment of the water rates, including, but not limited to, notice to persons who fail to pay the rates that their supply of water may be shut off, and may provide, in case of nonpayment, that the supply of water may be shut off or stopped. The Village official or officials in charge of the collection thereof shall certify annually, on March 1st of each year, to the tax assessing officer of the Village the facts of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general village taxes against such premises are collected and the lien thereof *enforced*. No further service shall be rendered such premises until a cash deposit in the amount of \$150.00 shall have been made as security for payment of such charges and service. After 1 year of on time payments the deposit will be applied to future water bills.

Section 11. In addition to the foregoing, the Village shall have the right to shut off water service to any premises for which charges for water service are more than three months delinquent, and such service shall not be reestablished until all delinquent charges and penalties and a turn-on charge, to be specified by the Village Council, have been paid. Further, such charges and penalties may be recovered by the Village by court action.

Section 12. 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 ninety days. Each day 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 and/or sewer service to the violator and the right to obtain injunctive relief in a court of law.

Section 13. The Village clerk shall certify the adoption of this ordinance and cause the same to be published as required by law, and the same shall be recorded in the Ordinance Book of the Village and such recording authenticated by the signatures of the President and Village Clerk.

Section 14. All ordinances, resolutions or orders, of parts thereof: in conflict with the provisions of this ordinance are to the extent of such conflict, hereby repealed.

Section 15. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

Section 16. This ordinance shall become effective: March 10, 2009

VILLAGE OF WALDRON

By;

Ruth Hotchkiss

Ruth Hotchkiss, Village Clerk

Richard Buck

Richard Buck, Village President

This ordinance was adopted by a vote of 5 ayes, 0 nays, 2 absent.