

CHAPTER 51: WATER

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§ 51.01 SHORT TITLE.

This chapter shall be known and cited as the "Water Ordinance of the Village of Metamora, Lapeer County, Michigan".

(Ord. passed - -)

§ 51.02 WATER METER REQUIRED AND CONNECTION FEES.

(A) *Residential use.*

(1) All residences, temporary or permanent, must have a water meter.

(2) There shall be a water meter for each residential unit or place of living; and for each water meter supplied, there shall be one water line connection fee paid.

(B) *Commercial use.*

(1) All businesses, temporary or permanent, must have a water meter.

(2) There shall be a water meter for each commercial unit or place of business; and for each water meter supplied there shall be one water line connection fee paid.

(Ord. passed - -; Ord. passed 9-18-2001)

§ 51.03 METERS PROCURED FROM VILLAGE.

All meters must be procured from the village and installed by the village, the cost of installation to be borne by the owner of the property upon which the meter is installed.

(Ord. passed - -)

§ 51.04 METER REFUND.

The owners of the property supplied with water services by the village shall procure his or her meter from the village and, upon procuring the meter, shall deposit with the Village Treasurer a sum equal to the purchase price of the meter, this sum to be held by the Village Treasurer as an indemnity against theft or misplacement of the meter; it is provided, however, that should the water service be discontinued by the owner of the property he or she may return the meter to the Village Treasurer and, upon return of the meter in good condition, the sum deposited thereon will be returned to the property owner, less a depreciation of 10% for each year or fraction thereof that the meter may have been in service.

(Ord. passed - -)

§ 51.05 METERS TO BE SEALED.

(A) Upon installation of meters, they shall be sealed both at register box and couplings, with a form of seal designated by the village, and these seals must not be broken, except upon their authority.

(B) The residents of property upon which a meter is installed will be held responsible for the intactness of these seals, and a fine of \$5 will be imposed upon a resident of any property where the seal or seals may be found broken.

(Ord. passed - -)

§ 51.06 OWNER RESPONSIBLE.

(A) The owner of property upon which a meter is installed will be held responsible for any willful or malicious damage sustained to meters; he or she will also be held responsible for any damage which the meter may sustain through freezing, or hot water backing up through same, and must bear the cost of repairing meters where same became damaged through any of the causes herein designated.

(B) The village will bear the cost of repairing meters where the same is required due to wear and tear of ordinary service.

(Ord. passed - -)

§ 51.07 METERS ACCESSIBLE.

Meters will be read by parties designated by the village, and at all times must be accessible for reading.

(Ord. passed - -)

§ 51.08 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONSUMER. The owner of the house, or other building or premises, lot or parcel of land to which other building, or premises, lot or parcel of land to which water is supplied by the village.

FURNISHING OF WATER SERVICE. The sale of a commodity and the relationship between the village and the consumer, that of vendor and purchaser.

VILLAGE. The Village of Metamora, Lapeer County, Michigan.

(Ord. passed - -)

§ 51.09 WATER RATES.

(A) The charges for water service to each residential family unit, each premise within the village connected with the water supply system for each monthly period shall be as follows:

	<i>Residential</i>	<i>Commercial</i>
For the first 5,000 gallons or less	\$18	\$20
For all over 5,000 gallons, per 1,000 gallons	\$2.81	\$2.81

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<i>Minimum Monthly Charges</i>		
	<i>Residential</i>	<i>Commercial/Industrial</i>
Multiple housing units; number of units on each metered service multiplied by the minimum charge	\$18	\$20
Single meter at unit	\$18	\$20

(B) The village shall pay for all water used by it at the foregoing rates, except that for fire hydrants in the village. Charges against the village shall be payable from the current funds of the village, or from the proceeds of taxes, which the village, within constitutional limitations, is hereby authorize and required to levy in an amount sufficient for that purpose.

(C) No free service shall be furnished by the system to the village or to any person, firm or corporation, public or private, or to any public agency or instrumentality, charges for service furnished by the system shall be billed and collected monthly.

(1) The charges shall become due a such time, not exceeding 20 days after the reading of the water meter, as shall be established by the village.

(2) If the charges are not paid before the due date, then a penalty of 10% shall be added by the village.

(3) In the event that the charges for any such services furnished to any premises shall not be paid within 15 days after the due date thereof, then all services furnished by the system to the premises shall be discontinued.

(4) Services so discontinued shall not be restored until all sums then due and owing, including penalties, shall be paid, plus a shut-off charge of \$50 and turn-on charge of \$50.

(5) Service and installation shall be charged at labor and material, plus \$10.

(6) Restoration of water service shall be as follows:

(a) Discontinued water service shall be restored or turned back on between the hours of 8:00 a.m. and 12:00 p.m. of the date of water restoration. If a water bill on discontinued service is paid after 12:00 p.m., then water service shall be restored on the next business day: Monday through Friday.

(b) Effective date of amendment is March 10, 2002.

(D) Any water customer of the village who is not the owner of the premises being served by the water and who becomes delinquent for more than two months shall not be permitted to continue to purchase or secure water from the village until all water charges have been paid in full and a deposit equaling a two-month average of the previous year's water billings or lesser period of billings, if applicable, shall be deposited with the village as security and guarantee for the payment of future water charges. When the customer ceases to purchase water from the village, the security deposit shall be forthwith returned to the customer, less any outstanding water charges.

(E) Charges for services furnished by the village for water services to any premises shall be a lien thereon. On June 1 of each year the Village President and Clerk, or their designee, shall certify any such charges which were "delinquent as of March 31 to the Village's Assessor". The Assessor shall enter the same upon the next tax roll against the premises to which the services shall have been rendered and the charges shall be collected, and the lien enforced in the same manner as provided in respect to taxes assessed upon the roll.

(Ord. passed - -; Ord. passed 4-11-1988; Ord. passed 1-29-2001; Ord. passed 2-18-2002; Ord. passed 4-16-2012)

§ 51.10 METER TESTING.

(A) The consumer may have his or her meter tested by depositing with the village a sum of \$10 to cover the cost of testing.

(B) It is provided that should the meter register 2% or more over, this sum will be refunded to the consumer and settlement made on a basis of over registration of the meter; but should the meter be found to register 100% or less, the deposit of \$10 will be retained to defray the expenses of the test.

(Ord. passed - -)

§ 51.11 INOPERATIVE METER.

Should a water meter become inoperative, the consumer shall pay for water service based on the average of the three preceding metered months.

(Ord. passed - -)

§ 51.12 CROSS-CONNECTION.

(A) The village adopts by reference the Water Supply Cross-Connection Rules of the Michigan Department of Environmental Quality, being R 325.11401 to R 325.11407 of the Michigan Administrative Code.

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(B) It shall be the duty of the village and its water utility to cause inspections to be made of all properties served by the public water supply where cross-connections with the public water supply is deemed possible. The frequency of the inspections and re-inspections based on potential health hazards involved shall be as established by the village's water utility and as approved by the State Department of Environmental Quality.

(C) The village's water utility or other designated representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the village for the purpose of inspecting the piping system or systems thereof for cross-connections. On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on the property. The refusal of information or refusal of access, when requested, shall be deemed evidence of the presence of a cross-connection.

(D) The village's water utility is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this section exists and to take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to the property shall not be restored until the cross-connection(s) has been eliminated in compliance with the provisions of this section.

(E) All testable back flow prevention devices shall be tested initially upon installation to be sure that the device is working properly. Subsequent testing of devices shall be conducted at a time interval specified by the village's water utility and in accordance with the State Department of Environmental Quality requirements. Only individuals approved by the village's water utility shall be qualified to perform the testing. That individual(s) shall certify the results of his or her testing.

(F) 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 and Village 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

(G) This section does not supercede State Plumbing Code.
(Ord. passed - -; Ord. passed 7-16-2001) Penalty, see § 51.99

§ 51.13 BAN OR RATIONING OF VILLAGE POTABLE WATER.

(A) Upon the recommendation of the village's water engineer regarding the adequacy of the village's supply of stored potable water, the Superintendent of the village's Sewer and Water Department may ration and/or prohibit, in his or her discretion, the domestic use of water in the village for an indeterminate time for: car washing; swimming pool replenishment; grass and garden watering; and sidewalk, driveway and outside building cleaning.

(B) These prohibitions may be an outright ban or may be by rationing the regulated uses on alternative day depending on whether the street address of the user is an odd or even number and the prohibited use falls on an odd or even day.

(Ord. passed 7-16-2001)

§ 51.14 NOTICE OF WATER BAN OR RATIONING AND THE LIFTING THEREOF.

Notice to the public regarding this ban or rationing of the use of potable water or the resumption of use of water shall be published in a newspaper locally circulated, posted in three public places in the village, and included in each water customer's next water bill. This amendment shall take effect on August 11, 2001.

(Ord. passed 7-16-2001)

§ 51.15 VIOLATIONS.

No person in the village shall:

(A) Steal any water meter, water pipe, other water equipment or tools, or steal any water itself which belongs to the village;

(B) Willfully damage or injure or suffer or permit to be injured any water meter, pipe or other water equipment or tools which belong to the village;

(C) Prevent or circumvent a water meter from measuring water used from that supplied by the village, or in any way hinder or interfere with the proper action of a water meter; or

(D) Fraudulently use water belonging to the village, or to waste the same.

(Ord. passed 7-15-1996) Penalty, see § 51.99

§ 51.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person found guilty of violating any of the provisions of §§ 51.01 through 51.14, or any written order of the village, in pursuance thereof, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than \$500, together with the cost of prosecution or shall be punished

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by imprisonment for not more than 90 days for each offense or may be both fined and imprisoned in the discretion of the court. Each day upon which a violation of the provisions of §§ 51.01 through 51.14 shall occur shall be deemed a separate and additional violation for the purpose of §§ 51.01 through 51.14.

(C) Any customer or person found guilty of violating any of the provisions of § 51.12 or any written order of the Metamora water utility, in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not less than \$500 nor more than 90 days in jail for each violation or both the fine and imprisonment at the discretion of the court. Each day upon which a violation of the provisions of § 51.12 shall occur shall be deemed a separate and additional violation for the purpose of § 51.12.

(D) In all prosecutions under § 51.15, any person or customer found guilty of violating any of the provisions of § 51.15 shall be deemed guilty of a misdemeanor and shall be fined up to \$500 or imprisoned for not more than 90 days, or both, in the discretion of the court. Each day upon which a violation of the provisions of § 51.15 shall occur shall be deemed a separate and additional violation for the purpose of § 51.15.

(Ord. passed - -; Ord. passed 7-15-1996; Ord. passed 7-16-2001)