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**CHAPTER 24. WATER SERVICE USER CHARGES\***

2.121. Definitions. Unless the context specifically indicates otherwise, the meanings of terms used in this Chapter shall be as follows:

- (1) Premises shall mean each lot or parcel of land, building or premises having any connection to the Water Distribution System of the City.
- (2) Person shall mean any individual, firm, association, public or private corporation or public agency or instrumentality.
- (3) Department shall mean the City Water Department.
- (4) Shall is mandatory; May is permissive.
- (5) Superintendent shall mean the Superintendent of the Department.

(Ordinance No. 1987-8, 08-04-1987)

2.122. Rates and Charges for Services. The rates to be charged for water service furnished by the System shall be as prescribed from time to time by City Council resolution. Such resolution may be adopted only after a public hearing has been held affording all persons an opportunity to comment on the proposed charges. The Clerk shall cause notice of the time and place of such hearing to be published once in a newspaper published and circulated within the City not less than ten (10) days prior to the date of said hearing.

(Ordinance No. 1987-8, 08-04-1987)

2.123. Free Service Prohibited. No free water service shall be furnished to the City or any person, or to any public or private agency.

(Ordinance No. 1987-8, 08-04-1987)

2.124. Hydrant Rental Charge. The City General Fund shall pay to the Water Fund an annual hydrant rental charge for each hydrant located within the City in such amount as shall be determined by resolution of the Council.

(Ordinance No. 1987-8, 08-04-1987)

\*Editor's note - Ordinance No. 1987-8, adopted Aug. 4, 1987, amended Ch. 24, relative to water and sewer rates, to read as herein set out in Ch. 24. Sections 2.121-2.131.

2.125. Building Construction Service. The City will install a water meter for construction purposes upon the application of an owner or authorized representative, provided an adequate deposit to cover the cost of the meter, plus twenty thousand (20,000) gallons of water, is made by the owner to the City Treasurer. Upon completion of the construction and when a permanent meter has been installed on the premises, the owner will be refunded the deposit minus the charge for actual water used, plus the meter rental charge.

(Ordinance No. 1987-8, 08-04-1987)

2.126. Water Testing. The City Council shall set a fee to pay for time and materials used in testing private water supplies.

(Ordinance No. 1987-8, 08-04-1987)

2.127. Billing. User charges for water service shall be collected monthly. Bills shall become due when rendered. If unpaid on the due date shown on the billing card, a ten percent (10%) penalty charge shall be added thereto.

(Ordinance No. 1987-8, 08-04-1987)

2.128. Termination of Service for Nonpayment. The City Manager is hereby authorized to enforce the payment of charges for water service to any premises by discontinuing the water service to such premises, and an action of assumpsit may be instituted by the City against the customer.

(Ordinance No. 1987-8, 08-04-1987)

2.129. Collection of Delinquent Accounts. The charges for water service, which, under the provisions of Act 94, Public Acts of 1933 of the State of Michigan, as amended, are made a lien on the premises to which furnished, are hereby recognized to constitute such lien; and the City Treasurer shall, annually, on May 1, certify all unpaid charges for such service furnished to any premises which, on the 30th day of April preceding, have remained unpaid for a period of six (6) months, to the City Assessor, who shall place the same on the next tax roll of the City. Such charges so assessed shall be collected in the same manner as general City taxes. In cases where the City is properly notified in accordance with said Act 94 of 1933, that a tenant is responsible for water service charges, no such service shall be commenced or continued to such premises until there has been deposited with the Department, a sum sufficient to cover two (2) times the average bill for such premises as estimated by the Superintendent. Such deposit shall in no case be less than twenty-five dollars (\$25.00). Where the water service to any premises is turned off to enforce the payment of water service charges, the water service shall not be recommenced until all delinquent charges have been paid and a deposit as in the case of tenants is made, and there shall be a water turn-off charge in an amount specified by Council resolution. In any other case where, in the discretion of the City Manager, the collection of charges for water service may be difficult or uncertain, the City may require a similar deposit. Such deposits may be applied against any delinquent water service charges of the depositor, and the application thereof shall not affect the right of the Department to turn off the water service to any premises for any delinquency thereby satisfied. No such deposit shall bear interest and such deposit, or any remaining balance thereof, shall be returned to the customer when he shall discontinue receiving water service, or except as to tenants as to whom notice of responsibility for such charges has been filed with the City, when any eight (8) successive monthly bills shall have been paid by said customer with no delinquency.

(Ordinance No. 1987-8, 08-04-1987)

2.130. Severability. If any provision, paragraph, word, section or article of this Chapter is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

(Ordinance No. 1987-8, 08-04-1987)

2.131. Conflicts. All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Chapter, are hereby repealed to the extent of such inconsistency or conflict. This Chapter (Ordinance Number 87-8) shall take effect twenty (20) days after its adoption, as provided in the City Charter.

(Ordinance No. 1987-8, 08-04-1987)

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