

ORDINANCE NO. 72
1-11-1979-A

AMENDED
2-23-2017

AN ORDINANCE ESTABLISHING RATES, CHARGES AND RULES FOR THE USE, INSTALLATION AND SERVICE OF THE WATER SUPPLY SYSTEM OF THE VILLAGE OF NASHVILLE, COUNTY OF BARRY, MICHIGAN.

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1. The following monthly rates, fees and charges for the use of and services provided by the Village's water supply system are hereby established:

A. Commodity Charge: \$4.66/1,000 gallons (effective 1-1-2017)

BEGINNING IN 2008, THE COMMODITY CHARGE PROVIDED FOR HEREIN SHALL BE ADJUSTED ANNUALLY ON JANUARY 1, TO BE EFFECTIVE ON THE FEBRUARY, BILL BY 5% OF THE CURRENT CHARGE. IF ADDITIONAL INCREASES ARE NEEDED, THEY MUST BE PRESENTED TO AND APPROVED BY THE VILLAGE COUNCIL.
(amended 2008)

B. Readiness-To-Serve (RTS) and Capital Improvement Fund Charges:
(Ready-To-Serve charges and Capital Improvement Fund charges are placed on any premise where water is available whether they are connected to the system or not)

Size of Meter	Meter Equivalency	RTSr Monthly Charge	Capital Imp. Charge	Total Monthly RTS Charge
5/8" or 3/4"	1.0	\$13.50	\$4.50	\$18.00
1"	1.4	\$18.90	\$6.30	\$25.20
1-1/2"	1.8	\$24.30	\$8.10	\$32.40
2"	2.9	\$39.15	\$13.05	\$52.20
3"	11.0	\$148.50	\$49.50	\$198.00
4"	14.0	\$189.00	\$63.00	\$252.00
6"	21.0	\$283.50	\$94.50	\$378.00
8"	29.0	\$391.50	\$130.50	\$522.00

C. Hydrant Rental: \$100.00/ per hydrant/per year (amended 2007)

D. Turn Off/On Charges: A charge of \$25.00 shall be imposed by the Village in response to a request to turn on or off water services; provided, however, that if such services are

provided other than during normal business hours of the Village in response to a request, the charge shall be time and materials multiplied by 1.10. (amended 2008)

E. Special Rates: Water supplied from a Village hydrant shall be charged at the normal commodity charge for water and sanitary sewer service multiplied by 2. Use of a Village hydrant to draw water shall only be permitted with the prior written approval of the Village and shall be subject to any terms or conditions imposed with respect to the approval. Any violation of this subsection shall be a misdemeanor punishable by a fine of up to \$500, 90 days in jail and the reasonable costs of prosecution.

F. Multifamily Complex Units: Ready-To-Serve and Capital Improvement Fund Charges for Multifamily Complex Units (apartment buildings) are not based on the meter size. Instead these charges are based on a $\frac{3}{4}$ inch meter times the number of units in the complex.

Section 1.5 Water Meters

- A. Required; exception. All service connections shall be metered, except hydrants on Village streets or Village property.
- B. Supply and ownership; connection charges. All meters will be supplied and owned by the Village. The property owner or applicant shall pay any and all charges in connection with the installation of meters in such amount as determined by the Village.
- C. Control; interference. Water meters shall be subject to the control of the Village or its authorized employees at all times, and no person shall break the seal of a meter, or in any way interfere with the operation of a water meter, except under the direct supervision of a Village employee.
- D. Protection from injury; liability for loss or damage. As a condition of service, the owner of any premises served shall be responsible to take all proper precautions to protect the meter from injury, frost, damage from hot water or steam, heat or any damage whatsoever. The owner of the premises served will be held liable for all loss or damage to the Village due to the failure to properly care for and protect each meter. The owner of the premises served will be held liable for any costs or expenses incurred by the Village in repairing or replacing meters which were injured due to the owner's failure to protect the meter from injury, frost, damage from hot water or steam, heat or any other damage.

SECTION 2. Billing (amended 1-24-2008)

- A. Bills for the rates and charges established by the Village shall be sent monthly. All bills shall be payable on the 10th of the month, and shall be paid at the office of the Clerk of the Village of Nashville. If any charges for the services of the System are not paid by the 10th of the month in which it shall become due and payable, a

delayed payment charge of 10 percent of the amount of the bill shall be added and collected therewith. If any bills for the service of the System remain unpaid 30 days after the due date, the water supply for the premises shall be turned off and shall not be turned on again except upon payment of the full amount then due and owing, plus a turn-off/turn-on charge of \$50.00. Water\sewer bills will remain in the property owner's name in accordance with state law. The Village will not turn water off at the request of a third party but only in accordance with the terms of this Section 2 and state law.

- B. Where the Village is properly notified in accordance with state law that a tenant/lessee is responsible for water service charges, no such service shall be commenced or continued to such premises until there has been deposited with the Village Clerk a sum sufficient to cover three times the average monthly bill for such premises. In any other case where, in the discretion of the Village Clerk, the collection of charges for water service may be difficult or uncertain, the clerk may require similar deposits. Such deposits may be applied against any delinquent water service charges and the application thereof shall not affect the right of the Village to turn off the water services on the premises for any delinquency. No such deposit shall bear interest, and such deposit, or any remaining balance thereof, shall be returned to the customer when he or she shall discontinue receiving water service.

SECTION 3. ENFORCEMENT (amended 11-22-2005)

The Village Clerk is hereby authorized to enforce the payment of charges for water services to any premises by any means allowable by law, including but not limited to, discontinuing the water service to such premises, or by an action of assumpsit to be instituted by the Village against the customer, or by placing a lien on the lot, parcel of land, or premises affected. The Village Clerk may annually certify all unpaid charges for such service furnished to any premises which remain unpaid for a period of six months to the Village Assessor who may place the same on the next tax roll of the Village. Such charges may be collected in the same manner as general Village taxes. The Village may exercise any or all of these remedies simultaneously in its discretion, as allowable by law.

SECTION 4. INSTALLATION OF WATER SERVICES AND CHARGES THEREON (2009)

There shall be a minimum of a 1-inch water service line for each new installation and at least one water meter per new installation. Hereafter, the charge for installing 1" or less meter is \$150.00 and the connection fee for a 1" or less water service is \$2,559.18. (1-1-2017) The connection fee for water service and meter over 1" and/or bore shot is \$2,559.18 (1-1-2017) plus time and materials. These rates will be adjusted annually at a 6% interest rate computed on the base fee. All installations shall be to the property line or 60 feet, whichever is shorter, with anything over 60 feet to the property line hereafter being charged on a time and material basis. Multiple dwellings shall be charged for each additional water meter at the regular meter rate. All multiple dwellings shall have one meter for each rental unit, unless the owner of the premises agrees in writing with the Village of Nashville to be responsible for all water billings for said premises. If such later agreement is made, the multiple dwelling shall have as many meters as the owner requests within the provisions hereof, but not less than one meter per separate building.

SECTION 5. It is hereby made the duty of the Village Clerk to render bills for service and all other charges in connection therewith and to collect all moneys due therefrom.

SECTION 6. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as the conflicting portions there of are concerned.

SECTION 7. This Ordinance shall be published in full in the Maple Valley News, a newspaper of general circulation in the Village, promptly after its adoption, and shall be recorded in the Ordinance Book of the Village and such recording authenticated by the signatures of the Village President and Village Clerk.

SECTION 8. This amended Ordinance shall become effective twenty (20) days after its adoption or upon its publication, whichever occurs later.

PASSED and adopted by the Village of Nashville, Michigan on November 22, 2005.

YEAS: Bracy, J. Dunham, Kenyon, Coll, F. Dunham

NAYS: none

ABSENT: Knoll, Shotts

Frank Dunham, President

Cathy Lentz, Village Clerk