

ARTICLE I. IN GENERAL

Sec. 74-1. Overdue bill policy. 10121 - Resolution / Amendment
03/422

There will be a ten-day grace period for payment of bills. Any such bill not paid within 30 days from the date of expiration of the grace period shall incur interest thereafter at ten percent per month, prorated on a daily basis, together with any costs, filing fees or reasonable attorney fees necessitated in the collection of the water [and sewer] rates.

(Ord. No. 091205, 9-12-2005)

Secs. 74-2—74-30. Reserved.

ARTICLE II. WATER*

DIVISION 1. GENERALLY

Sec. 74-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Backflow means water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

Consumer and *customer* mean the person who is responsible for the payment of water bills.

Cross connection means a connection or arrangement of piping or appurtenances in which a backflow could occur.

Financial manager means the chief financial manager of the village.

Owner means the actual owner of the property to be supplied with water service.

Safe air gap means the minimum distance of a water inlet or opening above the maximum high water level or overflow rim in a fixture, device or container to which public water is furnished, which shall be at least two times the inside diameter of the water inlet pipe but shall not be less than one inch and need not be more than 12 inches.

Secondary water supply means a water supply system maintained in addition to a public water supply, including but not limited to water systems from ground or surface sources not meeting the requirements of Act No. 98 of the Public Acts of 1913, as amended, being sections 325.201 to 325.214 of the Compiled Laws of 1948, or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.

*Cross reference—Water supply, § 62-75.

Sec. 74-35. Effect of contract for service.

(a) The benefits and obligations of the contract for water service shall inure to and be binding upon the successors and assigns of the original parties thereto, respectively, for the full term thereof; provided that no assignment shall be made by the customer without first obtaining the village water department's written consent, and provided further that the successor shall execute and deliver to the village water department an agreement assuming and agreeing to be bound by the original contract.

(b) No agent has the authority to amend, modify, or alter the contract for service, or waive any of its conditions, or to bind the village water department by making any promises or representations not contained therein.

(Ord. of 4-7-1998, § 1(11.02.210))

Sec. 74-36. Suspension of contract for service in case of fire or other casualty.

In case a fire or other casualty shall occur on the premises, rendering them unfit for the purposes of the customer's business, the customer's contract for water service shall thereupon be suspended until such time as the premises shall have been reconstructed and reoccupied by the customer for the purposes of his business.

(Ord. of 4-7-1998, § 1(11.02.220))

Sec. 74-37. Connection with water main.

(a) The water department will make the necessary service connection at the water main, the cost of which is to be paid by the owner or contractor. The cost is to be regulated by the water department in accordance with the prevailing cost of labor and materials at the time of installation or replacement.

(b) The owner shall lay and maintain the service pipe from the water main to the premises and shall, for single-family dwellings, install a valve in an easily accessible place near the wall where the service pipe enters the building. For multiple-family dwellings, the owner shall install a lock-type stop valve in an easily accessible place near the wall where the service pipe enters the building. The owner shall also install a valve on the outlet side of the meter. The owner shall install, on every service pipe, a curb stop and curb box. The curb stop and box shall be located within the street right-of-way and shall be approximately six feet from the property line.

(c) The minimum size of water service pipes shall be one inch. All installations or replacements of water service pipes shall be subject to the inspection and approval of the village building inspector, consulting engineer or authorized agent of the water department, and shall meet the standards of the state plumbing code.

(Ord. of 1-14-1985, § 13.02.024)

Sec. 74-38. Meters generally.

(a) All water used by the water customer shall be measured and recorded with a water meter. The water meter shall be supplied and installed by the water department. For all new installations, the costs of the meter and installation is to be paid by the village. All new installations or remodelings of properties shall have remote readers. The water meter shall be installed at a location protected from freezing or heat and other hazards, and the outside reading device (remote reader) shall be installed at a point that is visible from the front or side street. It shall be the customer's responsibility to keep the meter from being damaged or frozen.

(b) If the water customer desires to test the accuracy of the water meter, the water department will test the meter for a fee of \$5.00 for a residential dwelling. Charges for testing commercial and industrial meters shall be based on actual cost for labor and materials expended by the water department. Should the customer desire the test made, the water department employee will, in the customer's presence, seal the meter before he leaves the customer's presence, and the seal will not be broken or the test made except in the presence

Sec. 74-40. Service charges.

There are established from time to time by board resolution rates or charges for the use of, and for services supplied by, the waterworks system of the village, based upon the amount of water consumed as shown by the water meters and rounded down to the lowest even increments of 100 gallons. The current rates are as follows:

(1) *Residential rates.*

- a. Base rate, first 6,000 gallons \$ 17.00
- b. Each 1,000 gallons after base 1.81

(2) *Industrial rates.*

- a. Base rate, first 1,000,000 gallons \$1,000.00
- b. Each 1,000 gallons after base 0.81

(Code 1978, § 13.06.030; Ord. of 7-8-1986; Ord. of 12-8-1986; Ord. No. 091205, 9-12-2005)

Sec. 74-41. Estimation of usage.

The village water department may render an estimated bill for any billing period in which:

- (1) The village water department has taken appropriate and reasonable measures to read the meter, including but not limited to making an appointment with the customer, scheduling readings for times other than normal business hours, and/or providing postal cards on which the customer may record the reading and mail it to the village water department;
- (2) The customer has knowingly and willfully denied reasonable access to a representative of the village water department for the purpose of taking an actual reading of the meter;
- (3) The customer has otherwise made an actual reading of the meter unnecessarily difficult; or
- (4) Circumstances beyond the control of the village water department make an actual reading of the meter extremely difficult.

(Ord. of 4-7-1998, § 1(11.02.180.A))

Sec. 74-42. Availability of service.

It is the customer's responsibility to secure information from the village water department pertaining to availability and type of service at a particular location. This information should be obtained prior to completion of design plans for the customer's premises.

(Ord. of 4-7-1998, § 1(11.03.010.C))

Sec. 74-48. Filling of swimming pools.

Any property owner intending to fill a swimming pool located on the owner's property shall be charged the normal water rate in accordance with the rate schedules. Filling of swimming pools from a fire hydrant is prohibited.

(Ord. of 4-7-1998, § 1(11.03.010.R))

Sec. 74-49. Excavations.

(a) All plumbers and contractors shall contact the superintendent of the water department prior to performing any excavating. The plumber or contractor shall take every precaution to prevent damage to the water main or service pipe. If any damages do occur, the plumber or person that caused the damage shall pay the cost of repairing the damage to the water department. The person causing the damage to the water main or service shall also be responsible for any other liability resulting from the broken service pipe or water main. No person shall tap, repair, change or otherwise disturb the mains or service pipes without the permission of the water department superintendent or his authorized representative.

(b) All plumbers and contractors shall furnish a bond of \$2,500.00 to ensure that such repairs shall be properly performed.

(c) The plumber or contractor shall, upon completing such repairs, cement over the excavation where it has destroyed any sidewalk, curb or street.

(Ord. of 1-14-1985, § 13.02.029)

Sec. 74-50. Private water storage tanks.

A private water storage tank supplied from the village water supply system shall be deemed a secondary water supply unless it is designed and approved for portable water usage.

(Ord. of 1-14-1985, § 13.02.070)

Sec. 74-51. Access to premises.

Authorized agents of the water department shall at all reasonable hours have access to the premises for the purpose of inspecting the customer's installation and of reading, repairing, testing or removing the water meter or other water department property. All authorized agents of the water department can and shall present an identification card if asked to do so. Upon the presentation of the card, the authorized agent shall have free access at any reasonable hour to any premises supplied with village water for the purpose of making an inspection of the entire supply upon the premises or reading or repairing the water meter or other water department property.

(Ord. of 1-14-1985, § 13.02.090)

Sec. 74-52. Notice of interruption of service.

When it is necessary for the water department to interrupt water service for the purpose of repairing or extending the main, it will endeavor to give notice of interruption and to shut off