

LAKE LINDEN VILLAGE CODE

SERIES 2000-UTILITIES AND SERVICES

AMENDMENT TO THE ORDINANCE FOR THE CONTROL AND MANAGEMENT OF THE VILLAGE WATER WORKS, WATER SUPPLY AND SEWAGE DISPOSAL; FIXING THE RATES FOR WATER AND SEWAGE DISPOSAL; AND PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF THE SAME.

Chapter 2010 is further amended:

1. The President of the Village shall appoint a Water Committee at the Annual Meeting of the Village Council in February of each year, consisting of three members, which said committee shall have the full charge and management of the Village water works and water supply in the manner and to the extent which shall be provided by the ordinances of said Village. The Village Clerk shall be a standing member of the Water Committee so appointed, and shall be charged with the responsibility of keeping minutes and records of said committee, as well as for the collection of water and sewage rates at the office of said Village.
2. No person shall tap any main or distributing pipe without first having obtained a permit from the Water Committee.
3. All applications must be made at the office of the Water Committee by the owner of the premises or some person duly authorized by him; and said application must describe fully the locality and state truly the various uses to which the water is to be applied.
4. In case of misrepresentation, use of water without permit, willful or needless waste of water, by allowing constant flow of faucets or otherwise, allowing the occupants of any building not paying water rates to use water, the water may be shut off after notice.
5. Water and sewage rates shall be paid at the office of the Water Committee, during normal business hours, on the 1st day of January, March, May, July, September and November, in each year, or at such other times and places as adopted by the Village Council by Resolution duly passed, provided further that in the event of change in the method of payment of water and sewage rates, said change shall be published at least once in a newspaper of general circulation at least thirty (30) days prior to the effective date of change. In the event that water and sewage bills are not paid within five (5) days after final notice, the water shall be shut off and shall not be turned on again except upon the payment of all arrearages in water and sewage bills and, in addition thereto, a sum set by the Village Council for the closing and opening of the street stop—cock. A surcharge on all bills not paid within thirty (30) days after the date of billing may be authorized by a Resolution of the Village Council.
6. The various members of the Water Committee and any person by them designated for that purpose shall and must have access at proper hours to all parts of every building where water is used, to examine pipes and fixtures and ascertain if there is any unnecessary waste of water.

7. Sprinkling lawns or gardens may be forbidden by the Water Committee if deemed necessary on account of low water supply, upon such notice as is authorized by the Village Council.
8. Rates and charges for all services covered under this ordinance shall be designated by Village Council Resolution. The Water Committee is hereby authorized to enforce the payment of charges for water service, or sewage disposal, or water meters, or connective services to any premises by discontinuing the water service to such premises, and an action in assumes it may be instituted by the Village against the customer. The charges for water service, and sewage disposal service, which, under the provisions of any of the Public Acts of the State of Michigan, or amendments thereof, are made a lien on the premises to which furnished, are hereby recognized to constitute such lien; and the Water Committee shall, annually, on May 1, certify all unpaid charges for such service furnished to any premises which, on the 31st day of April preceding, have remained unpaid for a period of six (6) months, to the Village Assessor who shall place the same on the next Village Tax Roll. Such charges so assessed shall be collected in the same manner as general Village Taxes. In cases where the Village is properly notified in accordance with the Statute(s) of the State of Michigan, that a tenant is responsible for water or sewage disposal service charges, no such service shall be commenced or continued until the landlord shall have caused an appropriate separate metering system to be installed and paid the charges therefor, if necessary in the judgment of the Water Committee, and the tenant shall deposit with the Water Committee a sum sufficient to cover the average bimonthly billings, or such other method of billing adopted by the Village Council by resolution, for such premises as estimated by said Water Committee, such deposit to be in no case 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 or sewage disposal charges, such 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-on charge set by the Village Council. In any case where, in the discretion of the Water Committee, the collection of charges for water or sewage disposal service may be difficult or uncertain, the Water Committee may require a similar deposit. Such deposits may be applied to any delinquent water or sewage disposal service charges and the application thereof shall not affect the right of the Water Committee to turn off the water service to any premises for any delinquency remaining thereby unsatisfied. No such deposit shall bear interest and such deposit, or any remaining balance thereof, shall be returned to the customer making the same when he shall discontinue receiving water and sewage disposal service, or except as to tenants to whom notice of responsibility for such charges has been filed with the Village, when twelve billings, as set forth herein or established by the Village Council, shall have been paid by said customer with no delinquency.
9. The prior provisions of Series 2000—Chapter 2010 inconsistent herewith, are hereby repealed.

THIS AMENDMENT TO ORDINANCE SHALL TAKE IMMEDIATE EFFECT.

Adopted this 13th day of November , 2008

VILLAGE OF LAKE LINDEN:

Robert A. Poirier - Village Clerk

ATTEST:

Edward R. Fisher, President Pro-tem

CERTIFICATION

STATE OF MICHIGAN)
) ss.
COUNTY OF HOUGHTON)

I, Robert A. Poirier, Clerk of the Village of Lake Linden, do hereby certify that within fifteen (15) days after the passage of Series 2000-Chapter 2010 of the Village of Lake Linden Code, a synopsis of said Ordinance was duly published in the Daily Mining Gazette, a newspaper circulated within the Village of Lake Linden, County of Houghton and State of Michigan on the 23rd day of November , 2008, as more particularly appears in the attached Publisher's Affidavit.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of November, 2008.

Robert A. Poirier, Village Clerk

[SEAL]