**TITLE V: PUBLIC WORKS**

Chapter

**50.** **GARBAGE, RUBBISH AND TRASH**

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 **CHAPTER** **50:** **GARBAGE, RUBBISH AND TRASH**

Section

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 **50.01 DEFINITIONS.**

In the construction and application of this chapter, the words ***GARBAGE***, ***RUBBISH***, ***TRASH*** and ***REFUSE*** shall be given their common and ordinary meaning, and include putrescible wastes, such as food waste and animal entrails, bottles, cans, papers and any other useless or rejected matter, such as dirt, ashes and any other material, and which, by its decomposition or composition, could become offensive to human beings or detrimental to health, or create or tend to create a nuisance. However, sewage and human waste are not within the definition of ***GARBAGE*** and shall not be deposited therein.

(Prior Code, Ch. 2001,  1) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011)

 **50.02 DISPOSAL.**

No garbage, rubbish, trash or refuse shall be placed by any person upon the land of another, vacant or otherwise, public or private, within the village, whether such lot be enclosed or otherwise, without the written authorization of the Village President. It shall be further unlawful for any person to deposit or place in any manner whatsoever in or upon any public sidewalk, street, alley or other public place in the village, any garbage, rubbish, trash and refuse of any kind.

(Prior Code, Ch. 2001,  2) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011) Penalty, see  50.99

 **50.03 COLLECTION.**

All garbage, rubbish, trash and refuse shall be collected weekly and deposited for collection at a place, time and in such manner on a day as may be designated by the Village President.

(Prior Code, Ch. 2001,  3) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011)

 **50.04 CONTAINERS.**

For the proper and economical collection of garbage, rubbish, trash and refuse, every owner of or tenant occupying premises in the village shall place all matter for collection in color‑coded bags and store the same in containers, which are properly sealed and in good condition at the owners sole expense.

(Prior Code, Ch. 2001,  4) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011)

 **50.05 STORAGE.**

All receptacles utilized for garbage, rubbish, trash and refuse storage or pickup shall be subject to the approval of the Village President and, so far as possible, shall be placed as close to the public road abutting the property for pickup only at the designated collection times on the day thereof and shall be easily accessible to the collector. The keeping or storage of garbage, rubbish, trash and refuse on any street, alley, park or public place in the village is absolutely forbidden.

(Prior Code, Ch. 2001,  5) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011) Penalty, see  50.99

 **50.06 WINTER PICKUP.**

In the case of the owner or tenant occupying premises not abutting upon a street, or if the streets are impassible during the winter months, the Village President shall designate the time and place for the collection of garbage, rubbish, trash and refuse.

(Prior Code, Ch. 2001,  6) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011)

 **50.07 COLLECTION AND DISPOSAL FEES.**

(A) Each occupied household and occupied commercial place in the village shall pay an annual fee for the collection of garbage, rubbish, trash and refuse. The amount of this annual fee shall be established by resolution of the Village Council and reviewed periodically. This charge shall be placed on the village property tax bill as a flat fee payable on the same schedule as the property taxes. This annual fee shall be subject to the same collection process as property taxes and will be included in delinquent amounts due for collection by the County Treasurer. Those households and/or commercial places that do not receive a village property tax bill will be billed annually when tax bills are sent out and due on the same date as property taxes.

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

***COMMERCIAL PLACE.*** Every enterprise, organization or institution in the village regardless of whether it is operated for profit.

***HOUSEHOLD.*** A residential unit of persons. An apartment house shall be a residential unit.

***OCCUPIED.*** A person, firm or corporation who lives or resides in a residential unit, in whole or part, or conducts business or activities from a household or commercial place, as herein defined.

(C) Every household or commercial place in the village shall use color‑coded garbage bags. Color‑coded bags shall be available at the Village Hall. Charges for color‑coded bags shall be set by resolution of the Village Council and reviewed periodically. The provisions hereof shall not be applicable to any residence or commercial place which uses an approved dumpster, excepting any overflow therefrom.

(D) Any household or commercial place using a two‑cubic yard dumpster shall pay a bi‑monthly fee for one weekly pickup. Any overflow of a dumpster shall be placed in a color‑coded bag(s), as further identified herein.

(E) All color‑coded bags must be properly sealed and not left open, excepting those containing 100% cardboard or paper for disposal.

(F) Any person who has a dumpster or the use thereof shall keep it in a clean and sanitized condition.

(G) The village shall have, as security for payment of waste collection and disposal service charges to any customer, a lien upon the real estate to which the waste collection and disposal service was supplied. The lien shall become effective immediately upon billing for the service. The lien created by this chapter shall have priority over all other liens, except taxes or special assessments, and shall have equal priority with other liens imposed for village‑supplied municipal services. The charges shall be collected and the lien enforced in the same manner as provided for the collection of taxes assessed upon the tax roll and the enforcement of a lien for unpaid taxes.

(H) (1) In addition to any other provisions provided by law or contained herein, the village may refuse to provide collection service to any person, firm or entity who fails to comply with this chapter.

(2) The village may also sue for damages for any unpaid charges hereunder in any court having jurisdiction.

(Prior Code, Ch. 2001,  7) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011) Penalty, see  50.99

 **50.08 TAMPERING PROHIBITED.**

It shall be unlawful for any person to enter, tamper with or deposit garbage, rubbish, trash and refuse into any dumpster or color‑coded collection bag which they do not own or did not purchase. Any violation of this provision shall be a trespass.

(Prior Code, Ch. 2001,  8) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011) Penalty, see  50.99

 **50.09 BURNING PROHIBITED.**

It shall be unlawful for any person, firm or corporation to burn garbage, rubbish, trash, refuse or any other matter within the boundaries of the village without having first secured a written permit from the Village President and such other governmental authority, as may be required by law.

(Prior Code, Ch. 2001,  9) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011) Penalty, see  50.99

 **50.10 RATES AND FEES.**

Rates and fees identified in this chapter shall be set by Council resolution.

(Prior Code, Ch. 2001,  10) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011)

 **50.99 PENALTY.**

Any person violating this chapter shall, upon conviction, be guilty of a misdemeanor punishable by a fine of not more than $500, or by imprisonment of not more than 90 days in the county jail, or by both. Any person so convicted shall be liable for the costs of prosecution.

(Prior Code, Ch. 2001,  11) (Ord. passed 2‑11‑1999; Ord. passed 5‑15‑2008; Ord. passed 2‑10‑2011)

 **CHAPTER 51: WATER SYSTEM**

Section

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 **51.01 DEFINITIONS.**

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

***COUNCIL*** and ***VILLAGE COUNCIL.*** The Village Council of said village.

***LAKE LINDEN WATER SYSTEM***, ***WATER SYSTEM*** and ***SYSTEM.*** All plants, work, properties and instrumentalities, as the same shall from time to time exist, which are used or useful in connection with the obtaining of a water supply, the treatment of water and/or the distribution of water by the village.

***MAIN*** and ***WATER MAIN.*** Those pipes, other than supply pipes and service pipes, used for conveying or distributing water.

***PREMISES.*** The particular property connected to the system and includes appurtenant land and improvements.

***SERVICE PIPE.*** A pipe extending from the property line into premises supplied with water.

***SUPPLY PIPE.*** A pipe tapped into a main and extending thence to and including the curb cock or valve at the property line.

***VILLAGE.*** The Village of Lake Linden, Houghton County, Michigan.

***WATER DEPARTMENT.*** Those officials, employees and agents of the village vested by the Village Council with authority over the system.

(Prior Code, Ch. 2011,  1) (Ord. passed ‑ ‑2001)

 **51.02 ORGANIZATION AND MANAGEMENT.**

(A) In pursuance of, and within the limits of applicable law(s), the operation, management, maintenance and repair of the system, including collection and disposition of the revenues thereof, shall be under the immediate supervision and control of the Village Council, which shall have ultimate responsibility for the system and for enforcement of this chapter and any additional rules and regulations adopted with respect to the system.

(B) All officers, employees and agents of the Village Council, insofar as their functions pertain to the system, shall be held strictly accountable for the performance of the powers and duties delegated to them and shall not vary from or exceed the authority conferred upon them.

(C) All revenues of the system shall be set aside and paid or transferred into the several funds of the system, as determined by Council resolution at the annual budget meeting in June, and shall be used as therein provided.

(Prior Code, Ch. 2011,  2) (Ord. passed ‑ ‑2001)

 **51.03 SERVICE PIPES AND SUPPLY PIPE CONNECTIONS.**

(A) The State Department of Environmental Qualitys *Ground Water Control Rules*, as contained in Public Act 368, part 127, of 1978, as amended, of the Michigan Compiled Statutes, being M.C.L.A.  333.1101 et seq., are hereby adopted by reference, and shall be controlling within the area of water supplied by the village.

(B) (1) Before any connection shall be made to any water main, application for the same shall be made in writing to the Village Council by the owner of the premises to be served, or by his or her authorized agent, a tapping permit secured and a water users agreement signed.

(2) All applicable fees shall be paid in full before any permit shall be issued.

(C) Such applications for service shall be made on forms provided by the Village Council. The owner, user and/or applicant for a water tapping permit by such application agrees to abide by all rules and regulations of the Village Council in all respects, including those regarding the responsibility for the payment of water billings and the abandonment of existing wells.

(D) All new or replacement supply and service pipes shall be of Type K1 Copper of the size and quality as approved by the Village Council or its designated representative. All fillings and connections, underground, shall be approved by the Village Council or its designated representative.

(E) Water shall be taken and used only through water service pipes under the supervision of the Village Council and no connection through which water may pass from one property or premises to another shall be permitted, except where the owner of both properties or premises is the same and the properties or premises adjoin each other.

(F) Excessive or unnecessary use or waste of water, including, but not limited to, use caused by carelessness or by defective plumbing or fixtures is strictly prohibited. For disregard of, or repeated violation of, this requirement, the water may be turned off by the Village Council.

(G) Service pipes shall be the responsibility of a licensed plumber, or a homeowner exercising his or her constitutional privilege as provided in  141 of the State Plumbing Code, and all the fixtures and attachments installed on the premises in connection therewith, must conform to character, design and quality laws of the state and the State Plumbing Code.

(H) All service pipes must be laid with a minimum of six feet of cover as measured from finished grade. In areas where bedrock is encountered, the village may permit installation of service at a depth less than six feet; provided, an approved method of insulation of the water service pipe is utilized. In no case shall the water service pipe be installed at a depth less than four feet. Under an entry or driveway, the minimum depth of a service pipe shall be seven feet. Installation must be inspected by an inspector from the village before backfill. No new connection will be made until written approval by the inspector is given to the Village Council.

(I) For service pipes, a distance of ten feet from all sewer or septic lines shall be maintained, where possible.

(J) A separate gate valve the same size as the meter connections shall be placed on the service pipe on both sides of the meter. Such valves shall be equal in quality to the service cock.

(K) No new or replacement service pipe of less than one-inch diameter will be permitted. The permissibility of service pipes of larger size shall be determined by the Village Council.

(L) The charges for installation of curb stops, supply pipes and meters shall be determined by Council resolution at the annual budget meeting in June, and shall be paid when application for service is made.

 (M) For supply pipes larger than one inch, the village shall determine the charge. The applicant will be required to deposit the amount so determined with the Village Council.

(N) At the time application is made for a water service connection to a building under construction, the applicant must pay a flat rate for water usage, as determined by the Village Council. Said fee for construction water shall entitle the applicant to water for construction purposes for a period of not more than three months. Where water is provided, without a meter, for construction of building(s), any wasting of water, whether caused by carelessness or by defective fixtures, is strictly prohibited. For disregard of, or repeated violation of, this requirement, the water may be turned off by the Village Council. The water service shall not be turned on again until an agreement is reached with the parties involved.

(O) No supply pipe shall be installed when the service pipe is in line with a driveway, tree, fire hydrant, catch basin or other obstruction.

(P) All supply pipes from the main to the property line shall be put in only by properly authorized employees or representatives of the Village Council. Before receiving a permit for a service connection, there must be paid such a sum, as required, to cover the expense of furnishing and installing the supply pipe, curb stop, stop box and meter as determined by Council resolution at the annual budget meeting in June.

(Q) The water supply pipe, from the main to the property line, shall be maintained by the Village Council. The service pipe from that point shall be considered private plumbing and be maintained by the owner of the premises. Failure to keep the service line in good repair will result in discontinuance of service.

(R) No person shall interfere in any way with the supply pipe installed by the village unless authorized by the Village Council.

(S) All village water used on any premises where a meter is installed must pass through the meter. No by‑passing of the meter will be permitted, except as provided herein.

(Prior Code, Ch. 2011,  3) (Ord. passed ‑ ‑2001) Penalty, see  10.99

 **51.04 INSPECTION AND INSPECTORS.**

(A) Inspectors, forepersons and employees of the Village Council, whose duty it may be to enter upon private premises to make inspection and examination of the pipes, fixtures or attachments used in connection with the water supply system, will be provided with a badge or such other credentials as the Village Council may deem proper to identify them as authorized agents of the village. No inspector, foreperson or other employee of the Village Council shall be entitled to enter upon any private premises unless he or she carries and exhibits such badge or credentials.

(B) Any authorized employee or agent of the Village Council shall, upon reasonable notice and the presentation of the badge or other credentials provided for in the next preceding section, have free access at all reasonable hours to any premises supplied with water for the purpose of making any inspection thereof, including the examination of the entire water supply and plumbing system upon said premises. No person shall refuse to admit any authorized employee of the Village Council for any such purpose. In the case of any authorized employee being refused admittance to any premises, or being admitted shall be hindered or prevented in making such examination, the Village Council may turn off the water from said premises after giving 24 hours notice to the owner or occupant of said premises.

(C) A person who is not an authorized employee or agent of the Village Council shall not have or wear or exhibit any badge or credential of the Village Council. It shall be the duty of each and every employee or agent of the Village Council upon resignation or dismissal, forthwith, to surrender and deliver to the Village Council all badges and credentials issued by it.

(Prior Code, Ch. 2011,  4) (Ord. passed ‑ ‑2001) Penalty, see  10.99

 **51.05 WELL ABANDONMENT (PLUGGING).**

(A) Unused wells on the property and/or all existing wells providing water to the premises shall be abandoned (plugged) by the methods described in the State Department of Environmental Qualitys *Ground Water Control* Rule  325.1601 et seq.

(B) The abandonment (plugging) of wells existing on the property must by accomplished by a well driller licensed by the state under Public Act 368 of 1978, being M.C.L.A.  333.12701 et seq. The contractor shall provide the Village Council with a list of materials to be used and methods to be employed before commencing work.

(C) The abandonment (plugging) of wells is the responsibility of the owner of the premises and all costs associated with abandonment shall be borne by the owner.

(D) If such abandonment is not accomplished within 60 days of the start of service, the water service is subject to discontinuance upon the owners receipt of written notice from the Village Council.

(Prior Code, Ch. 2011,  5) (Ord. passed ‑ ‑2001) Penalty, see  10.99

 **51.06 WATER METERS.**

(A) All service connections, except separate fire connections, shall be metered and shall pay for water at the rate established by the Village Council. In no case will water be supplied, except for temporary use with Village Council approval, at other than the established water rate.

(B) The supply pipe and meter installation charge, for which provision is made in  51.03(L) of this chapter, shall include the cost of the water meter furnished by the Village Council and the installation thereof, but such meter shall remain the property of the village and will at all times remain under its control. The meter couplings or flanges will be furnished by the village.

(C) The maintenance of the meter will be the obligation of the village; provided that, where replacements, repairs or adjustments of the meter are made necessary by the act, neglect or carelessness of the owner or occupant of any premises, the expense to the village caused thereby may be charged against and collected from the owner or occupant of the premises.

(D) The owner of any premises where a meter is installed shall be held responsible for its care and protection from freezing or damage by the elements, and from injury or interference by any person or persons. Repair or maintenance expenses caused by injury to the meter, whether through neglect, carelessness or deliberate vandalism may be charged against and collected from the owner or occupant of the premises.

(E) (1) If a meter fails to function or to register, the consumer will be charged at the average monthly consumption as shown by the meter when in order. The accuracy of any meter installed in any premises will be tested by the operator upon request of the customer, who shall pay in advance a fee of $25 for residential test, $50 for commercial test and $100 for industrial test.

(2) If, on such test, the meter shall be found to register over 5% more water than actually passes through it, another meter will be installed and the fee refunded to the customer and the water bill may be adjusted, as hereinafter provided.

(F) All persons are forbidden to interfere with or move a water meter from any service connection without first receiving permission from the Village Council or its designated agent. No person shall remove or break any seal on meters or by‑pass valves.

(G) For reading and maintenance purposes, all meters shall be set horizontally in dry, clean, sanitary places, perfectly accessible no less than 12 inches from floor level or more than 24 inches from floor level, with a minimum of six inches from any wall, 12 inches from the top of the meter to an immovable object, with a gate valve on both sides of the meter, and where a small leak or the spilling of water will do no damage.

(H) By‑passes are required on all 1W and larger meter installations.

(I) All services 1” or larger must have a tee between the meter and outlet valve, to be used for testing the water meter without its removal. The size of the side opening of this tee shall be 1” for 1” service pipes, two inches for all service pipes up to and including four inches. The side opening of the tee shall be three inches for all service pipes larger than four inches. The side opening of such tee shall be plugged.

(Prior Code, Ch. 2011,  6) (Ord. passed ‑ ‑2001) Penalty, see  10.99

 **51.07 WATER RATES.**

Water rates and charges shall be those determined by Council resolution at the annual budget meeting in June.

(Prior Code, Ch. 2011,  7) (Ord. passed ‑ ‑2001)

 **51.08 COLLECTION OF RATES AND CHARGES.**

All such debt service, capital equalization and consumption charges may be collected by personal action against any person liable therefor and shall, in addition, be a lien upon the premises served. Any charges which, on March 1 of each year, have been delinquent for six months or more shall be transferred to the next village tax roll against the premises served and shall be collected and said lien enforced in the same manner as provided in respect to village taxes assessed on said roll. No remedy provided herein shall preclude the village from terminating water service in the case of any delinquency.

(Prior Code, Ch. 2011,  8) (Ord. passed ‑ ‑2001)

 **51.09 USE OF WATER.**

(A) No steam boiler shall be directly connected to the water service pipe. The owner shall provide a tank of sufficient capacity to afford a supply for at least ten hours, into which the service pipe shall discharge.

(B) No person shall take or use water from premises other than his or her own or premises of which he or she has lawful possession.

(C) Where one ownership of property is occupied by two or more distinct families, or where a business building is occupied by two or more firms or persons, a single charge for water will be made against the owners of the property for the whole. However, a building or buildings under one ownership consisting of several premises may be served by more than one water service and meter upon approval of the Village Council.

(D) In multiple meter installations, no master meter will be allowed. When more than one meter is served by one water service, all the meters served by the service must operate from a manifold type arrangement. Failure of one unit in a manifold arrangement to pay for water received will result in a discontinuance of water to that meter.

(E) Where a building, originally built as one single building or premises and fitted with one service pipe, but capable of being divided by sale or otherwise, has been or may be hereafter subdivided and each subdivision shall be separately owned, the separate division or divisions so made must be connected to the main by separate service pipes within 30 days after such division.

(F) Where the water has been turned off by the authorized agent of the Village Council for any reason, only authorized personnel shall turn it on again. When this rule is violated, the water may be turned off at the curb stop; in which case, the owner or occupant shall, before it is again turned on, pay in advance the charges made by the Village Council for turning the water off and turning it on again.

(G) No person or persons shall obstruct or interfere in any way with any curb stop, valve or fixture connected with the system by placing on, or about it, building materials, rubbish, soil, shrubbery, flowers or other hindrances to easy and free access thereto.

(H) All cross‑connections between any type of water supply and municipal water supply are strictly prohibited. In the event a cross‑connection is discovered, the water will be turned off at the curb stop until the cross‑connection is severed. No direct connection of any type to a sewer line shall be allowed.

(I) Only approved water‑conserving type air conditioning units will be allowed. An approved water conserving type shall be one:

(1) Which is equipped with cooling tower, atmospheric condenser, spray pond or other equipment which shall directly or indirectly cool refrigerant;

(2) Which can use water from the villages water system only for make‑up water to replace water lost by evaporation or by flushing of the equipment;

(3) Which uses an average of less than 12 gallons of water from the villages water system per hour per ton of cooling capacity when the unit is operating; and

(4) Which has no piping connection to allow operation of the air conditioning unit by direct use of water from the villages water system either in conjunction with or in place of such cooling tower, atmospheric condenser, spray pond or other re‑circulating and heat‑exchanging equipment.

(Prior Code, Ch. 2011,  9) (Ord. passed ‑ ‑2001) Penalty, see  10.99

 **51.10 FIRE HYDRANTS.**

(A) Fire hydrants are provided for use by the water system and the Village Volunteer Fire Department or by such persons as may be specially authorized by the village.

(B) With the exception of the Village Volunteer Fire Department, no person, firm or corporation shall open or cause to be opened any fire hydrant without first securing a permit to use fire hydrant from the village. A deposit of $50 will be required. Such person, firm or corporation must report to the water system operator when such use is started and is terminated; at which time, a hydrant inspection will be made and if damage occurs to the hydrant, the cost of repairing the hydrant, if any, shall be deducted from the deposit and the difference, if any, refunded to the depositor. If the deposit is insufficient to cover said costs, the permit holder shall pay the deficit. User will pay for the water used as determined by the water system operator at the rate set by ordinance.

(C) The Village Volunteer Fire Department shall notify the water system operator whenever fire hydrants are used.

(D) The Village Council must approve the type, size of openings and types of nozzle thread on all hydrants installed on private property serviced by the villages water system.

(E) No person, firm or corporation shall in any manner obstruct or prevent free access to or place or store temporarily or otherwise any object, material, snow, debris, automobile or structure of any kind within a distance of 20 feet of any hydrant. Any such obstruction, when discovered, may be removed at once by the Village Council or its designated representative at the expense of the person, firm or corporation responsible for the obstruction.

(F) Hydrants are located within the road right‑of‑way or easement and any person, firm or corporation desiring to have a hydrant moved to another location shall obtain permission of the Village Council and shall bear the complete cost of moving said hydrant.

(G) Where pipes are provided for fire protection in any premises or where hose connections for fire apparatus are provided on any pipe, each connection or opening on said pipes shall have not less than 25 feet of fire hose constantly attached thereto, and no water shall be taken or used through such openings or hose for any purpose other than extinguishing fires, except for the purpose of testing said fire equipment. In such case, the test must be conducted under a special permit issued by the Village Council and under the supervision of the water system operator.

(H) Each premises to or for which a separate unmetered fire line connection is provided for sprinkler or hydrant service shall pay therefor a quarterly charge as follows:

|  |  |
| --- | --- |
| 4 service connection | $50 |
| 6 service connection | $85 |
| 8 service connection | $100 |

(I) The village shall pay for all water used by it at the established rates.

(Prior Code, Ch. 2011,  10) (Ord. passed ‑ ‑2001) Penalty, see  10.99

 **51.11 EXTENSION OF MAINS.**

(A) (1) Extension of, or changes in, water mains may be initiated by the Village Council or by petition from property owners.

(2) Petitions for the construction of new mains shall be addressed to the Village Council upon blank forms provided for that purpose.

(B) The Village Council may refuse to grant, or may grant the same, and may prescribe the terms and conditions upon which the petition will be granted and may require the written acceptance of such terms and conditions by the petitioners.

(C) If the petition be granted, the Village Council will proceed as promptly as practical with the proposed work under the terms and conditions named. The said work will be done at the expense of the property owners unless otherwise stipulated and any and all extensions shall be subject to the provisions of this chapter.

(D) The water mains of said system are under the exclusive control of the Village Council, and all persons other than agents and employees of the Village Council are forbidden to disturb, tap, change, obstruct access to or interfere with them in any way.

(E) Any person, firm or corporation installing mains at his, her or their own expense shall first submit complete plans and specifications, prepared by a professional civil engineer licensed in the state, in accordance with the adopted standards of the village for such work, to the Village Council for approval, at which time the Village Council shall determine the conditions for such installation.

(Prior Code, Ch. 2011,  11) (Ord. passed ‑ ‑2001)

 **51.12 NOTICE.**

(A) Should it become necessary to shut off the water from any section of the system because of accidents or for the purpose of making repairs or in case of construction, the Village Council will endeavor to give timely notice to the consumers affected thereby, and will, so far as practical, use its best efforts to prevent inconvenience and damage arising from any such causes, but failure to give such notice will not render the Village Council responsible or liable for damages that may result therefrom, or from any other cause.

(B) Wherever notice is required to be given hereunder, the same may be given:

(1) Either by personal service of a notice in writing to the person, firm or corporation to be notified;

(2) By sending an employee or agent of the Village Council to the premises with a written or printed notice, which shall be served on the person, firm or corporation to be notified;

(3) If it is impossible to make such service at that time, the same may be posted in some conspicuous place on the premises; or

(4) By enclosing a copy thereof in an envelope with postage prepaid, plainly addressed to the person, firm or corporation to be notified, at the post office or residence address of such person, firm, corporation, as the same appears on the books of the Village Council, and depositing the same in any United States post office. Such notice so given shall be conclusively deemed to have been given at the time of such depositing.

(Prior Code, Ch. 2011,  12) (Ord. passed ‑ ‑2001)

 **CHAPTER 52: CROSS-CONNECTIONS**

Section

52.01 Adoption by reference

52.02 Inspection

52.03 Right of entry for inspection

52.04 Discontinuance of service

52.05 Protection from contamination

52.06 State Plumbing Code

52.99 Penalty

 **52.01 ADOPTION BY REFERENCE.**

The village adopts by reference the *Water Supply Cross-Connection Rules* of the State Department of Public Health, being Rule  325.11401 through Rule  325.11407 of the Michigan Administrative Code, and any amendments thereof.

(Prior Code, Ch. 2012,  1)

 **52.02 INSPECTION.**

The villages water system is hereby authorized and directed to cause inspections to be made of all properties served by the public water supply system where cross-connection(s) with the public water supply system are deemed possible. The frequency of inspection and reinspection shall be based on potential health hazards and shall be established by the villages water system and as approved by the State Department of Public Health.

(Prior Code, Ch. 2012,  2)

 **52.03 RIGHT OF ENTRY FOR INSPECTION.**

The representative of the villages water system shall have the right to enter at any reasonable time, upon reasonable notice, any property served by a connection to the public water supply systems 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 representative any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested after reasonable notice, shall be deemed evidence of the presence of cross-connections.

(Prior Code, Ch. 2012,  3)

 **52.04 DISCONTINUANCE OF SERVICE.**

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

(Prior Code, Ch. 2012,  4)

 **52.05 PROTECTION FROM CONTAMINATION.**

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 Department of Public Health. 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.

(Prior Code, Ch. 2012,  6)

 **52.06 STATE PLUMBING CODE.**

This chapter does not supersede the State Plumbing Code, but is supplementary to it.

(Prior Code, Ch. 2012,  7)

 **52.99 PENALTY.**

Violation of this chapter is a misdemeanor. Any person found guilty of violating any of the provisions of this chapter, or any written order of the villages water system which is issued in pursuance thereof, shall, upon conviction, be subject to a fine of not more than $500. Each day that a violation of this chapter is continued or permitted to exist without compliance shall constitute a separate and additional violation for the purpose of this chapter.

(Prior Code, Ch. 2012,  5)