

UNITED STATES DEPARTMENT
OF AGRICULTURE
FARMERS HOME
ADMINISTRATION
WATER
RULES AND REGULATIONS

ORDINANCE NO. 33

AN ORDINANCE PROVIDING FOR THE RULES, REGULATIONS, AND CONDITIONS OF SERVICE OF THE VILLAGE OF LAKEVIEW, MONTCALM COUNTY, MICHIGAN, MUNICIPAL WATERWORKS SYSTEM.

WHEREAS, Village of Lakeview, Montcalm County, Michigan, hereinafter called municipality, has undertaken to construct a municipal waterworks system; and

WHEREAS, the municipality is financing the acquisition of the waterworks system pursuant to Bond Ordinance No. 34----- and has adopted a schedule of rates and charges by Ordinance No. 32.

THE VILLAGE OF LAKEVIEW ORDAINS:

1. Property owner or his agent, hereinafter called customer, must make written application for water service at the Village Clerk's Office, and said application, including service received thereunder, is unassignable by the customer.
2. All taps and connections to the mains of the municipality shall be made by and/or under the direction and supervision of waterworks personnel.
3. The municipality shall install and maintain at its expense that portion of the service from the main to the lot or easement line, including the necessary tap, fittings, and shut-off valve; and the customer shall install and maintain at its expense that portion of the service from said lot or easement line to his premises, including a stop and waste cock at the end of the house side of this service. The minimum earth cover of the customer's shall be five (5) feet. The Village shall determine the size and

kind of service to be installed.

4. Application may be canceled and/or water service disconnected by the municipality for any violation of any rule, regulation, or condition of service, and especially for any of the following reasons:

a) Misrepresentation in the application as to the property or fixtures to be supplied or use to be made of water.

b) Failure to report to the municipality addition to the property or fixtures to the supplies or additional use to be made of water.

c) Resale or giving away of water.

- d) Waste or misuse of water due to improper or imperfect service pipes, and/or fixtures, or failure to keep same in suitable state of repair.
- e) Tampering with meter, meter seal, service, or valves, or permitting such tampering by others.
- f) Connection, cross-connection, or permitting same, of any separate water supply to premises which receive water from the municipality.
- g) Non-payment of bills.

5. Any customer desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in writing at the business office of the waterworks system, otherwise, the customer shall remain liable for all water used and service rendered by the municipality until said notice is received by the municipality.

6. Bills and notices relating to the conduct of the business of the municipality will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the municipality; and the municipality shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from nonpayment of a bill or from any performance required in said notice.

7. a) Bills for water service are due and payable at the business office of the municipality, or to any designated agent, on their date of issue. The past due date shall be the thirtieth (30th) day after the date of issue. Bills will dated and mailed on the first of each quarter.

b) All bills not paid on or before the past due date shall be termed delinquent, and the municipality shall service on the customer a written final notice of said delinquency. If a delinquent bill is not paid within ten (10)

days after due date of such final notice, the water supply to the customer may be discontinued without further notice.

c) Meters will be read quarterly.

8. Where the water supply to a customer has been discontinued for nonpayment of delinquent bills, a charge of three dollars (\$3) will be made for reconnection of water service, but the reconnection will not be made until after all delinquent bills and other charges, in any, owed by the customer to the municipality have been paid.

9. New water customers and delinquent accounts shall deposit \$50.00 with the municipality for the purpose of establishing or maintaining the customer's credit.

10. All meters shall be installed, maintained and renewed by and at the expense of the municipality, and the municipality reserves the right to determine the size and type of meter used.

11. Upon the written request of any customer, the meter serving said customer shall be tested by the municipality. Such test will be made without charge to the customer if the meter has not been

tested within twelve (12) months preceding the requested test; otherwise a charge of two dollars (\$2) will be made and then only if the test indicates meter accuracy within the limits of 2%.

12. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed for billing purpose will be based upon an average of the prior six (6) months consumption, and the conditions of water service prevailing during the period in which the meter failed to register.

13. Water for building or construction purposes will be furnished by meter measurement, only after suitable deposit has been made, the minimum deposit being ten dollars (\$10.); and the amount to be determined by the municipality depending upon the size of the construction work contemplated; and all water for building or construction purposes, as set forth in the permit, must pass through one and the same meter.

Water so supplied shall be discharged through a hose or pipe directly upon material to be wet, or into a barrel or other container, and in no case upon the ground or into or through a ditch or trench and all use of water by other than applicant or use of water for any purpose or upon any premises not so stated or described in the application must be prevented by the applicant, or water service may be discontinued without notice.

14. The municipality shall make all reasonable efforts to eliminate interruption of service, and when such interruptions occur will endeavor to re-establish service with the shortest possible delay. Whenever the service is interrupted for the purpose of working on the distribution system or the state equipment, all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

15. The municipality shall in no event be held responsible for claim made against it by reason of the breaking of any mains or service pipe, or by reason of any other interruptions of the supply of water caused by the breaking of machinery or stoppage for necessary repairs; and no person shall be entitled to damages nor have any portion of a payment refunded for any interruption of service which in the opinion of the municipality may be deemed necessary.

16. Customers having boilers and/or pressure vessels receiving a supply of water from the municipality must have a check valve on the water supply line and a vacuum valve on the steamline to prevent collapse in case the water supply from the municipality as discontinued or interrupted for any reason, with or without notice.

17. The premises receiving a supply of water and all service lines, meters and fixtures, including any and all

fixtures within the said premises shall at all reasonable hours be subject to inspection by duly authorized employees of the municipality.

18. Special terms and conditions may be made where water is used by the municipality or community for public purposes such as fire extinguishment, public parks, etc.

19. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the municipal lines and mains. The customer shall provide a place of metering, which is unobstructed and accessible at all times. The customer shall furnish and maintain a cutoff valve on his side of the meter and the municipality will provide a like valve on its side of the meter.

20. The customer's service line shall be installed and maintained by the customer at his own expense in a safe and efficient manner and in accordance with the municipal rules and regulations and with the regulations of the State Board of Health.

21. If any loss or damage to the property of the municipality or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the customer, member of his household, his agent or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the municipality and any liability otherwise resulting shall be that of the customer.

22. Water furnished by the municipality may be used for domestic consumption by the customer, members of his household, and employees only. The customer shall not sell or give the water to any other person.

23. Each customer shall grant or convey, or shall cause to be granted or conveyed to the municipality a permanent easement and right-of-way across any property owned and controlled by the customer wherever said easement or right-of-way is necessary for the municipal water facilities and lines, so as to be able to furnish service to the customer.

24. The municipality will construct extensions to its water lines to points within its service area but the municipality shall not be required to make such installations unless the customer pays to the municipality the entire cost of the installation.

All the line extensions shall be evidenced by a contract signed by the municipality and the person advancing funds of said extension, but each contract shall be null and void unless approved by the Farmers Home Administration and other governing bodies.

All decisions in connection with the manner of installation of any extension and maintenance thereof shall remain in the exclusive control of the municipality and such extension shall be the property of the municipality and no other person shall have any right, title or interest therein.

25. The municipality may refuse service to persons, not presently a customer, when in the opinion of the municipality the capacity of the facilities will not permit such service.

26. These rules may be changed or amended.

27. Complaints may be made to the operator of the system and may be appealed to the town council within ten (10) days.

28. The purpose of this ordinance shall not affect the validity of any ordinance previously enacted except that in the case of conflict between prior ordinance with this ordinance, this ordinance shall control.

29. This ordinance shall take effect and be in force from and after its passage, approval and publication as

required by law.

Passed by the Council of the Village of Lakeview, Michigan, this 29th day of April, 1970.

Carl Thompson, Council President

Attest: Willard Stilson, Clerk