

ORDINANCE NO. 14

VILLAGE OF LAKEVIEW

AN ORDINANCE RELATIVE TO THE ADMINISTRATION AND CONDUCT OF THE WATER DEPARTMENT.

THE VILLAGE OF LAKEVIEW, MONTCALM COUNTY, MICHIGAN, ORDAINS:

SECTION 1.

All the authoritative power connected with the water supply, and the administration thereof is invested in the Village Council. All the powers granted to officers of the Village being granted to the as agents, the ultimate power being reserved to itself by the Village Council.

SECTION 2.

The water mains of the Village are under exclusive control of the City Council. No person, other than the authorized employees of the Village shall disturb, tap, change, obstruct access to, or interfere with them in any manner.

SECTION 3.

The provisions of this Ordinance and the Rules and Regulations of the Water Department shall be considered a part of the contract with every person who shall take water furnished by the Village, and each and every person so served shall be considered as having expressed his consent to the bound thereto.

SECTION 4.

All service connections shall be metered, except Hydrants on the Village Streets or on Village property.

SECTION 5.

All charges for water shall be made against the owner of the premises supplied with water, and must be paid in thirty (30) days the water may be turned off on the premises against which such charges stand and the amount of the unpaid bill shall become a lien on such premises until paid. When so turned off, the water will not be turned on again until the charges have been paid, together with the further sum of \$3.00 as a turn on fee.

SECTION 6.

Any officer, inspector or employee, duly authorized by the Village Council, shall have free access, any reasonable time, to any premises supplied with water by the Village, for the purpose of reading meters or making inspections of the water and plumbing system in the premises. In case an authorized agent of the village is refused admittance to any of the said premises, or being admitted, shall be hindered or prevented from making any such examination, the water may be turned off from such premises, after giving legal notice,

in writing, to the owner or occupant thereof.

SECTION 7.

Excessive or unnecessary waste of water, whether by carelessness or defective or leaky plumbing fixtures is strictly prohibited. For disregard or for repeated violation of this requirement, the water may be turned off, by the Water Committee, with the sanction of the Village Council.

#### SECTION 8.

No water shall be sold by any subscriber. All water shall be taken or used through the service pipes under the supervision of the Village Council, or authorized official, and no connection through which water may pass from one property to another shall exist, even though the Ownership of both properties or premises, may be the same.

#### SECTION 9.

Where the water has been turned off by the Village for any reason, no person or persons, except authorized employees or agents of the Village, may turn it on again. When this rule is violated, the person or persons so doing, shall be liable to penalties hereinafter provided, and the water may be shut off at the corporation stop at the main; in which case the owner shall, before it is turned on again, pay in advance the charges of the Village thereof, which shall be fixed by the Village Council, or the person in charge of the Village Water Department.

#### SECTION 10.

The Village reserves the right at any time without notice, to shut off the water, decrease or increase the pressure for the making of repairs, extensions, or other purposes, whatsoever, and the Village shall not be held liable for any damage arising therefrom.

#### SECTION 11.

No claim shall be valid if made against the Village or any Official or agent thereof for reason of interrupted water service, except in case of gross negligence or carelessness.

#### SECTION 12.

The use of hose for sprinkling or other purposes shall at all times be subject to the express condition that the Village Council, may at any time, when, in its opinion the condition of the public water supply demands it, limit the time each day during which hose may be used for sprinkling or any other purposes, or the said Council may be forbid the use of water for such purposes, for any period of time deemed necessary.

#### SECTION 13.

No person without a written permit for the Water Committee, or their agent, shall open or interfere with any street valve or fire-hydrant in any manner, except in case of fire or emergency.

#### SECTION 14.

No tap shall be made at the mains unless a permit shall have been obtained from the Water Committee, or its authorized agent of the Village. No tap shall be made by any person other than an authorized agent of the Village. All applications for such permits shall be made at least one day prior to the date on which the tap is to be made.

#### SECTION 15.

All person, firms or corporations, who may desire to discontinue the use of water, shall notify the Village Council in writing; and upon failure to make such notice, they shall be charged regular water rates until such notice be given. In no case will abatement be allowed for less than three months, this being one full quarter, at one time.

#### SECTION 16.

In case of failure of the supply of water, from any cause whatsoever, there shall be no reduction or rebatement of water rates made or allowed.

#### SECTION 17.

All meters will be supplied by, and at the expense of, the Village.

#### SECTION 18.

The Village Council shall determine the proper size of meters. The size of meter granted shall be in accordance with the estimated water consumption.

#### SECTION 19.

Meters shall be set in a convenient place, easy of access, near the entrance of the service pipe, located so as to control the entire water supply.

#### SECTION 20.

Water meters shall be under the control of the Village or its authorized employee at all times, and no person, firm or corporation 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 said Village employee.

#### SECTION 21.

The Village Clerk shall be the official custodian of the sealing devise and meter seals and he may appoint an assistant to read meters and to carry official seals and sealing devise for use while reading meters.

#### SECTION 22.

The consumer shall take all proper precaution to protect the meter from injury, frost, damage from hot water or steam, heat or any violence whatsoever, and the owner of the premises will be held liable for all loss or damage to the Village from failure to properly care for, and protect each meter.

#### SECTION 23.

In case of damage to a meter, or failure of same to register properly the owner of the premises shall notify the Water Committee, or its authorized agent, at once; in which case the meter shall be repaired or replaced by an accurate one. The charges for water during such period will be on the basis of ordinary use under similar

conditions before the meter was affected.

SECTION 24.

From and after the first day of July, 1954, the following rates, charges and regulations as set forth in this ordinance shall be in effect. All water rates and meter service charges for water served, or supplied by the Village of Lakeview, to any person, firm or corporation, by or through any meter, service pipe or main are due and payable quarterly.

1. A charge shall be made for the installation of each new service as follows:

For the corporation cock, curb stop and curb box and service from the main to the sidewalk line, \$50.00.

All service 2 inches or less in diameter shall be of copper.

The next size service larger than 2 inches in diameter shall be 4 inch cast iron.

The smallest size of service permissible under this ordinance shall be 1 inch in normal diameter.

1. A charge for water consumed, as shown by the meter reading shall be made and collected as follows:

The minimum charge shall be \$3.00 per quarter, which charge shall include 5,000 gals. of water.

	per thousand gals.
For the next 5,000 gals. ....	\$.30
For the next 10,000 gals. ....	.20
For the next 85,000 gals. ....	.15
For the next 100,000 gals. ....	.10

1. For fire protection the Village shall pay, in equal quarterly installments, the sum of \$30.00 per year for each fire Hydrant connected to the system.

2. For all connections maintained at any private premises for fire protection purposes a readiness to serve charge shall be made and collected as follows:

Each 4 inch or 6 inch connection.....	\$75.00
Each 8 inch connection.....	135.00
Each 10 inch connection.....	185.00
Each 12 inch connection.....	300.00

1. Rates for miscellaneous uses of water shall be as follows:

- a) Circuses having more than one ring, wildwest shows and large exhibitions shall pay in advance \$35.00 per day for the privilege of taking water from a fire hydrant.
  
- b) One ring circuses, animal shows and small exhibitions shall pay in advance \$20.00 per day for the privilege of taking water from a fire hydrant.



c) Included in these charges is the use of fire hose, control valve and the service of a water department employee to operate the fire hydrant.

d) Carnival and small tent shows which use small amounts of water shall pay in advance \$12.00 for the first date and \$5.00 per day thereafter for the privilege of taking water from a fire hydrant.

The Water Department will install one ¾ inch reducing connection and control valve on the hydrant. The user shall connect to this fitting for his supply.

e) Rates for use of Fire Hydrant for Construction Purposes:

¾ in. opening.....	\$.50 per day
1 in. opening.....	.90 per day
1 ½ in. opening.....	2.00 per day
2 in. opening.....	3.50 per day

Upon proper application a contractor or builder may be granted permission to use water from a service without meter during construction for a fee of \$10.00. Such fee shall be for water from a 1 inch service and shall be for a period not longer than 120 days, dated the time service is granted.

f) For miscellaneous services not specified, rates shall be established by the water committee.

g) Any loss or damage to the hydrant, operating nut or wrench will be charged to the applicant for service from the hydrant. On large construction projects the water Department may require the setting of an appropriate meter and charge for water and service at the regular metered rates.

SECTION 25.

Upon the deposit of the amount required in the following schedule and accompanied by a written application of any water customer requesting that a test be made of the meter, the Water Department will remove, examine, test and install another tested meter on the customer's service.

For 5/8 x ¾ inch and 1 inch meters.....\$3.00

For 1 ¼, 1 ½, and 2 inch meters.....	4.00
For 3 inch meters.....	6.00
For 6 inch meters.....	10.00

If after test, the meter is found to be in error by 5% or more, the amount deposited will be refunded. If the meter is found to register within 5% the amount deposited will be retained to cover the cost of the test.

If upon testing the meter is found to have registered more than 5% too much an adjustment in the water bill then due will be made, based on the percentage past the meter was found to register.

SECTION 26.

If an applicant is, at the time of making application for service, in arrears on any bill due the Water Department, water supply will be refused until such arrearages are paid in full, nor will service be granted to an agent or tenant of any one in arrears.

#### SECTION 27.

Water rates and charges shall be billed and collected quarterly, or if deemed advisable by the Village Council large users may be billed monthly, and all bills shall be due and payable at the office of the Village Clerk within 10 days after the date specified on the bill. For all bills not paid by the due date, a penalty shall be added of 10% plus 1% per month until the bill is paid.

#### SECTION 28.

Failure to receive a bill does not relieve the consumer of the responsibility to pay said bill when due.

#### SECTION 29.

All remittance made by mail must be postmarked on or before the final due date to entitle the consumer to pay the bill without penalty.

#### SECTION 30.

Should the due date fall upon a Sunday or holiday such bill maybe be paid on the next regular business day without penalty.

#### SECTION 31.

Should it be impossible for any reason, to obtain a meter reading at any premise on any regular meter reading date, a bill will be rendered based on the consumption shown by the average of the last 2 meter readings and said bill will be subject to the same payment provisions as hereinbefore specified for regular billing.

In the event the meter reader cannot obtain a reading for 2 consecutive meter reading periods, a notice will be issued to the consumer of this condition and if no arrangements are made so that the meter can be read within 5 days the water supply will be shut off and not restored until the bill for water has been paid plus an additional charge of \$3.00. Such charge shall be made to cover the cost of shutting off and turning on the supply.

#### SECTION 33.

No person, firm or corporation shall install, maintain or permit the installation or maintenance of any cross-connection between the water supply of the Village and any other source of water supply.

#### SECTION 34.

Any plumber who may desire to do business in connection with the Village Water System shall be a licensed master plumber under the laws of the State of Michigan.

SECTION 35.

Any person, firm or corporation, violating any of the provisions of this ordinance, shall, upon conviction thereof by any court of competent jurisdiction, be punished by a fine not exceeding \$100.00 or by imprisonment in the Montcalm County jail for not more than 90 days or by both such fine and imprisonment, at the discretion of the Court.

SECTION 36.

The Village Council reserves the right to amend, revise, repeal or supplement this ordinance to meet changing conditions, in the future, and any Ordinance or parts of ordinance conflicting with this ordinance are hereby repealed.

SECTION 37

Each section of this ordinance, and every paragraph of each section is hereby declared to be separable and the holding of any section or part thereof to be void, ineffective, or unconstitutional for any cause, shall not affect any other section or part thereof.

SECTION 38.

This Ordinance shall be in full force and effect on and after the first day of July, 1954.

Attest:

The Village Council of the Village of Lakeview, Montcalm County, Michigan, in session this 17th day of May, 1954, hereby adopt, approve, and enact this ordinance.

Ford Lincoln, Village Clerk

The undersigned, President of the Village of Lakeview and Clerk of the Village of Lakeview, Montcalm County, Michigan each hereby declare the foregoing to be a true copy, as adopted by the Village Council of the Village of Lakeview.

Eldon Johnson, Village President

Ford Lincoln, Village Clerk

ORDINANCE NO. 25

AN ORDINANCE TO AMEND ORDINANCE NO. 14 OF THE VILLAGE OF LAKEVIEW, WHICH IS AN ORDINANCE RELATIVE TO THE ADMINISTRATION AND CONDUCT OF THE WATER SYSTEM OF THE VILLAGE OF LAKEVIEW, MONTCALM COUNTY, MICHIGAN.

THE VILLAGE OF LAKEVIEW ORDAINS:

SECTION 1. For the purpose of maintaining an established water system for the Village of Lakeview, and the

authoritative power connected with the water supply being vested in the Village Council, Ordinance No. 14 shall be amended as hereinafter provided.

SECTION 2. The Village of Lakeview shall from and after the 1st day of Sept., 1967, keep and maintain a water receiving and disbursement fund, and shall maintain separate records and accounts pertaining thereto.

SECTION 3. All funds received from the furnishing of water to inhabitants and revenues from such other sources from the distribution of water as the Village may from time to time receive shall be segregated into the water receiving and disbursement fund.

SECTION 4. All expenses incurred in the operation and maintenance, expansion and development of the water system in the said Village of Lakeview shall be paid from said fund upon approval by the Village Council and only expenses in connection with the operation and maintenance, expansion and development of the water supply system shall be paid from said fund.

SECTION 5. The provisions of this ordinance shall not be construed to affect the validity of the Ordinance No 14 of the Village of Lakeview in any manner and the provision of said Ordinance 14, Sections 1-38, inclusive, shall be and are hereby reaffirmed.

SECTION 6. This Ordinance shall take effect on the 31st day of August, 1967.

Passed and enacted by the Common Council of the Village of Lakeview on the 14th day of August, 1967.

Stuart Nielsen, President

Dallas Lincoln, Clerk

## ORDINANCE NO. 40

AN ORDINANCE TO AMEND ORDINANCE NO. 14 OF THE VILLAGE OF LAKEVIEW, WHICH IS AN ORDINANCE RELATIVE TO THE ADMINISTRATION AND CONDUCT OF THE WATER SYSTEM OF THE VILLAGE OF LAKEVIEW, MONTCALM COUNTY, MICHIGAN.

The Village of Lakeview Ordains:

Section 1: For the purpose of maintaining an established water system for the village of Lakeview, and the authoritative power connected with the water supply being vested in the Village Council,

Ordinance No. 14 shall be amended as hereinafter provided.

Section 2: Section 24 1. of the Original Ordinance No. 14 shall be amended by adding the following:

The hook up fee for a 3/4 inch line that crosses the street shall be \$250.00.

The hook up fee for a 3/4 inch line that does not cross the street shall be \$125.00.

The hook up fee for a 1 inch line that crosses the street shall be \$275.00.



The hook up fee for a 1 inch line that does not cross a street shall be \$150.00.

Section 3: the provisions of this Ordinance shall not be construed to affect validity of the Ordinance No. 14 of the Village of Lakeview in any manner.

Section 4: This Ordinance shall take effect on the 1 day of October, 1975.

Passed and enacted by the Common Council of the Village of Lakeview on the 8 day of September, 1975.

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Willard Stilson  
Clerk of the Village of Lakeview

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Keith Bucholtz  
President of the Village of Lakeview

Publish in the Lakeview Enterprise on the 11 day of September, 1975.

