

¹Water Ordinance No. 94-2006

Ordinance No.94-2006 Water Ordinance: An Ordinance relative to the Administration and Conduct of the Department of Public Works (DPW) and its public water services of the Village of Northport. Adopted by a vote of the Northport Village Council on June 15, 2006.

The Village of Northport ordains:

ADMINISTRATION

(a) The Water Operators (DPW) shall be in charge of the water services, working under the direction of the Village Council through the Infrastructure committee and the water operators.

The DPW Head shall have charge of the maintenance and operation of the water supply, treatment, plant, pumping equipment, distribution system, fire hydrants, meters and all other appurtenances of the water works system. The DPW Head shall supervise all extensions and alterations of the waterworks system as the Council may direct. He or she shall also be responsible for the reading of all water meters and for having all appropriate permits and licenses.

(b) The Village Clerk shall send out all water bills and shall be responsible for their collection. All revenues there from shall be accounted for in a manner satisfactory to the Council and the State of Michigan.

WATER PIPE CONNECTION

(a) Permit. No water service pipe shall be connected to the Village water distribution system without a village permit. The permit requires that water meters be emplaced and operating normally. Application shall be made to the Village Clerk and shall set forth the legal description or parcel code number of the premises to be served, the size of service desired, and such pertinent data as maybe required by the DPW.

(b) Connection by Village. Connections to the curb stop/service valve shall be installed by the owner or his agents and approved by the DPW.-

(c) Fee Coverage. The connection permit fee shall include the cost of excavation and backfill, making the tap, furnishing and installing service pipe from the main to a point between the curb and the sidewalk, and furnishing and installing the service box and curb stop. The fee is as decreed in the current fee table as approved by the Village of Northport (See attachment I).

(d) Refusal of Permit. The DPW will not be required to grant a connection permit if in the judgment of the DPW the making of the connection will endanger the mains from frost or other cause.

(e) Permit to Work in the Right of Way. Before any work may be commenced in any street right of way, a permit must be obtained and completed by the owner or agents. Said permit shall be issued by the Village Clerk and the completed work approved by the DPW. There shall be no work in the right of way from December 1 through April 15 as mandated by the Leelanau County Road Commission. Except for emergency conditions permits shall not be issued December 1st through April 15.

SERVICE PIPE

(a) Diameter. All service pipes shall be of minimum internal diameter of one (1) inch and shall be type K, copper or other criteria may be at the discretion of the DPW as appropriate.

(b) Depth. The minimum depth of cover for service lines shall be five feet below the surface of the ground or the established street grade whichever is lower or at the discretion of the DPW.

(c) Frost Danger. No service line shall be laid along the outside wall or in any position where there is danger of freezing.

(d) Valve. Every service shall be furnished with a valve on the inlet side of the meter below the action of frost.

(e) Location. Service pipe laid in the same ditch with a sewer shall be at least eighteen (18) inches distant from the sewer horizontally, and if the sewer is laid at a greater depth, it shall be shelved into the bank to a solid bottom. In no case shall a service pipe be laid on fill.

WATER SUPPLY AND DISTRIBUTION

Every building must have a separate connection with the street main unless otherwise directed by the Head of the DPW.

INSPECTION

All work performed in making additions, connections, repairs, extensions or alterations of any fixtures connected with the distribution system shall be subject to inspection by the DPW representative who may order any part of work discontinued or changed to comply with the rules and regulations of the Village and DPW.

OWNERSHIP OF CONNECTIONS

Ownership to the street portion of the service, including the corporation cock, curb cock, service box, water meters, and service pipe is vested in the Village.

WATER SERVICE

(a) Application. After the service pipes have been installed to the premises, persons may apply for and be granted the use of water if application is made in writing at the Village Offices on such forms as shall be prescribed, and if the applicant agrees to be bound by the rules and regulations of the Village of Northport and DPW.

MAINTENANCE OF SERVICE

Every person having service from the Village Water Distribution System shall at his or her own cost and expense keep in repair that portion of the service between the curb cock service box and the meter. Outside reporting water meters are the responsibility of the DPW. Household or internal water meters are replaced as necessary by the DPW. When the service has remained out of repair or bills unpaid for three months, the DPW may shut off the water and the Clerk may place the remaining fees on the tax roll.

METERS

(a) Required. All connections with the water mains with the exceptions of fire hydrants must be prepared for the use of water through a meter. No water shall be supplied to any inhabitant of the Village unless the water is measured by a water meter of a design approved and installed by the DPW. The DPW shall determine the size of the meters required for the service. A backflow valve on the connection to the main may be required by the DPW.

(b) Fire Sprinkler Exception. Water for automatic sprinkler systems is charged at the same rate as drinking supply. However, no person shall use any water from the sprinkler system except in the case of fire. A control valve for all fire protection systems shall be located in the public right-of-way or as determined by the DPW.

(c) Location. All meters must be set in a clean, dry, sanitary place, which is easily accessible. Meters shall not be placed in closets, coal bins or other places that are kept locked or are difficult to reach. Where practical, meters shall be installed within the building served but where this is impractical, meter pits shall be built in accordance with plans and specifications furnished by the DPW. The cost of the water meter and construction of meter pits shall be borne by the consumer.

(d) Tenants-Separate meters. Landlords wishing to have tenants metered separately may purchase a meter from the Village; have the meter installed at no cost to the Village, but subject to approval of location and installation by the DPW and the Leelanau County plumbing inspector if necessary.

(e) Placement. Actual placing of the meter shall be done by the DPW after the property owner has provided a place in the system, at his own expense, for setting the meter. In case an application for water service has been filed, but no provision has been made for the meter at the time the DPW is ready to set it, the DPW will not be required to set the meter until the place has been provided. All metered water lines in excess of one (1) inch, shall be provided with a bypass around the meter so as to allow removal of the meter for testing, repair or replacement without disrupting the service. The DPW will keep all bypass

valves sealed except when they are working on the meters.

(f) Furnished by Village. External reading meters will be furnished by the DPW without cost to the consumer and all rights, title and ownership of the meter shall be vested in the Village.

(g) Maintenance. The Village shall maintain all meters and make all necessary replacements caused by wear through normal usage. The consumer will be held responsible for care and protection of the meter from freezing or damage by water. Damage which may occur to any water meter due to the carelessness or neglect of the tenant, owner or agent of the property on which the water meter is placed shall be paid for by such person upon presentation of a statement of damages. The consumer is responsible for reporting damaged, non-working, or non-performing meters to the Village.

(h) Tampering. No persons shall interfere with or remove a meter from any service connection. No person shall break, remove or tamper with any seal, which is placed on any meter or service box by an employee of the DPW. No person shall place or use any device, which allows water to be used, which does not pass through the meter.

READING OF METERS

(a) Statements. The DPW shall read all meters periodically and report readings to the Village Clerk, who renders statements for the amounts due as shown by the reading. Statements shall be payable as determined by Village Council resolution, but in no event shall failure to receive a statement excuse any consumer for non-payment thereof.

(b) Estimates. In case a meter reading does not appear to be consistent or where the meter has ceased to register, the amount of the water charged for shall be estimated by the DPW and the Village Clerk. Previous quantities of water used by the same consumer shall be used as a basis for estimates, but special conditions, such as leaky fixtures or abnormal demand for may also be considered. When it appears that abnormal use of water has resulted from leakage, lack of maintenance, or carelessness on the part of the consumer no deduction shall be made.

DISCONTINUING WATER SERVICE

If any payments for the use of water, or any fees as determined by this Ordinance or by resolution of the Village Council, remain unpaid for a period of thirty (30) days after the due date, the DPW may cause the water supply to be turned off and the meter removed from the premises until such payments and fees have been paid. Disconnection fees turn on fees, and interests are the responsibility of the consumer.

RESUMPTION OF SERVICE

When the water supply to any premises is shut off or stopped by or under the direction of the DPW, the water shall not again be supplied to such premises until the turn-on fee and the previous debt for services has been paid by the consumer.

ACCESS TO PROPERTY

The DPW and its authorized representatives shall have access to all meters and all water plumbing fixtures at any reasonable hour for the purpose of inspecting the meters or any other plumbing used in connection with the water supply system and no such meter or auxiliary equipment shall be covered or fenced in such a way as to be inaccessible.

CROSS-CONNECTION OF WATER SUPPLIES AND PRIVATE WELLS

No person shall make or maintain any cross-connection between the Village Water System and a private water supply and no person shall install or maintain a private well without first receiving a permit which shall be issued only if the DPW determines that there is no possibility of introducing contaminated water into the public water supply or of the private well contaminating the water for human consumption.

(a) The Village of Northport adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Health being R325.431 to R325.440 of the Michigan Administrative Code.

(b) It shall be the duty of the DPW to cause inspections to be made of all properties served by the public water supply where cross-connections with the public water supply are deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the DPW and as approved by the Michigan Department of Public Health or responsible State authority.

(c) The representative of the DPW shall have the right to enter at any reasonable time, any property served by a connection to the public water supply system of the Village of Northport, 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 agency any pertinent information regarding the piping system or systems of such property. Refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connection.

(d) The DPW shall discontinue water service after reasonable notice to any property wherein any connection in violation of this chapter exists, and may 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 Ordinance.

(e) 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 Ordinance and by the State and County of Leelanau Plumbing Codes. 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*

(f) This Ordinance does not supersede the State Plumbing Code or the Leelanau County Plumbing Code but is supplementary to them.

TAMPERING WITH WATER WORKS

It shall be unlawful for any person not duly authorized to tap any pipe, open or close any hydrant, valve or stopcock, interfere in any manner or tamper with any part of the water works system, or use water which does not pass through a meter except as provided therein. Any damages resulting from such unlawful interference, or tampering with the water works system, may be collected in an action at law.

WATER SERVICE CHARGES

Water charges shall be payable monthly or quarterly at the discretion of the Village Council.

(a) FEES (See attachment I)

All fees, rates and charges shall be established by resolution of the Village Council. Said fees, rates and charges shall be established yearly or as needed by the Village Council.

A minimum monthly user rate shall be established by the Village Council.

There shall be one rate for all users. There shall be no discount regardless of volume consumed.

Shut off and turn on fees shall be established by the Village Council. Bills unpaid shall be placed on the tax rolls after 9 months unless a billing payment schedule is established by the Village Clerk and the consumer. ****The owner of any building to which water service is available will be responsible for payment of a quarterly water bill. Questions concerning the water ordinance should be directed to the Village Clerk or to the Village Infrastructure Committee.**

COLLECTION OF UNPAID CHARGES

(a) Lien. In addition to other remedies possessed by the Village for the collection of water service charges, the Village shall have a lien upon the premises to which such water has been supplied. Such lien shall become effective immediately upon the distribution of water to the premises, and the official records of the DPW of the Village shall constitute notice of the pendency of such lien. Said lien shall have priority over all other liens except taxes and special assessments whether or not such other liens accrued or were recorded prior to the lien herein created.

(b) Exception Lease. In the case of a lease on property, all water charges remain the responsibility of leaser. It is the responsibility of the leaser to protect themselves from unpaid water bills.

(c) Notice of Nonpayment. All unpaid water charges which have remained unpaid for six months or more shall be reported by the Village Clerk to the Village Council. All unpaid water charges, which have remained unpaid for a period of six (6) months or more shall be transferred to the Village tax roll and assessed against the property to which the water was supplied or furnished, and shall be collected with

and in the same manner as Village taxes are collected. If the charges remain delinquent and unpaid after the expiration of the time limited in warrant for the collection of taxes levied in such roll, such charges shall be returned to the County Treasurer, to be collected in the same manner as the lien created by Village taxes on the delinquent tax roll of the Village.

REQUIREMENTS FOR SERVICE AND CONNECTION MANDATES

All businesses and residents shall be required to connect to the main if their building is within 200 ft of the main established DPW water connections, or are currently utilizing village water. All charges are the cost of the consumer for repairs and service. A resident or business currently utilizing the Village water may not disconnect and use an independent water source unless authorized by the Village. Water wells that are for non-human consumption (watering lawns, etc.) are permitted, but no water source within the serviced Village water area may be used for human consumption.

WATER SERVICE BEYOND EXISTING MAIN OR CORPORATE LIMITS OF THE VILLAGE

For the extension of water service beyond the existing main or the corporate limits of the Village of Northport, a person requesting service shall be required to pay the cost of the installation of the water main extension, the regular fee for water connection, and (at a minimum) the same monthly rates for service that are charged inside the corporate limits. Any additional costs are born by the consumer at a reasonable cost.

This ordinance shall be published within fifteen (15) days after final enactment and shall take effect immediately upon such publication

All ordinances or resolutions and parts of ordinances or resolutions inconsistent with this ordinance are hereby repealed.

Laura A Weiss, Village Clerk

Publication Date: June 29, 2006

*Amended April 7, 2011 **Amended June 2, 2011 (see resolutions)

* Amended September 5, 2019

*Fees

The New resident connection fee of \$1250, paid to the Village of Northport includes the water meter, curb stop at the main and final observation.

It is the responsibility of the owner/applicant for the connection from the curb stop to the facility including cost of excavation, backfill, tap and furnishing and installing service pipe from the main to the facility. DPW will provide a list of local contractors at the applicant's request.

New commercial connection fees shall be based on the size of the meter required.

Turning off or on services for water are set at \$40 per turning off or on event. Water services are prorated to the turn-on or turn-off date to the nearest quarter of billing.

EMERGENCY turn off \$140

Meter size Minimum per Quarterly volume-gallons and Cost per thousand gallons:

0"-1"	\$30.00 flat rate for	0-4500	gallons	for {Quarterly minimum}	and
	\$1.40 per each thousand gallons over minimum				
1 1/4"	\$58.00 flat rate for	4501-28,000	gallons	for {Quarterly minimum}	and \$1.40
	per each thousand gallons over minimum				
1 1/2"	\$79.00 flat rate for	28,001-48,000	gallons	for {Quarterly minimum}	and \$1.50
	per each thousand gallons over minimum				
2'	\$118.00 flat rate for	48,000	gallons	for {Quarterly minimum}	and
	\$1.60 per each thousand gallons over minimum				
3"	\$155.00 flat rate for	48,000	gallons	for {Quarterly minimum}	
	and \$1.60 per each thousand gallons over minimum				
4"	\$232.00 flat rate for	48,000	gallons	for {Quarterly minimum}	and \$1.60 per
	each thousand gallons over minimum				