VILLAGE OF NORTHPORT

LEELANAU COUNTY, MICHIGAN
Ordinance 94
MUNICIPAL WATER SYSTEM

An Ordinance to regulate the Administration and Conduct of the Department of Public Works (DPW) and its municipal water system in the Village of Northport according to Public Act 233 of 1955, Municipal Sewage and Water Supply Systems; Public Act 178 of 1939, Municipal Water Liens.

THE VILLAGE OF NORTHPORT HEREBY ORDAINS:

SECTION 1 TITLE

This Ordinance shall be known and cited as the "Village of Northport Municipal Water Ordinance".

SECTION 2 PURPOSE

The Purpose of this Ordinance is to regulate the Administration and Conduct of the municipal water system in the Village of Northport.

SECTION 3 DEFINITIONS

"As-Built Drawing" means a drawing describing measurement, witness points, depth and layout after the connection is made to the service pipe.

"Building Pipe" means that part of the owners plumbing system which receives water from the service pipe, beginning immediately after the curb stop.

"Certified Water Operator" means an individual who is certified by the State of Michigan's Department of Environment, Great Lakes, and Energy (EGLE) and Environmental Health Division as a Waterworks System Operator in accordance with the Michigan Safe Drinking Water Act.

"Connection" means the point of connection of the customer's or consumers water line with the municipal water service pipe in the Village of Northport.

"Corporation Valve" means a shut-off valve installed in the watermain immediately preceding where a service pipe connects to the watermain.

"Curb Stop" A service line valve located at the end of the service pipe used to control the water supply from the service pipe to the building pipe generally located in the area curb, sidewalk, ROW and property lines.

"Debt Service" means the interest and principal payments required to repay monies borrowed.

"DPW Superintendent" means the Department of Public Works Superintendent who supervises all extensions and alterations of the Municipal Water System. He or she shall also be responsible for ensuring the reading of all water meters and for having all appropriate permits and licenses.

"Meter" or "Water Meter" means an instrument that automatically measures and registers the quantity of water consumed on a parcel of land served by the municipal water system in the Village.

"Municipal Water System" means all wells, hydrants, meters, pumps, facilities, watermains, service pipes, and other equipment owned by or under the jurisdiction of the Village for the collection, storage, purification, and distribution of water.

"Owners" means the person holding the legal or equitable title to real property or a lesser estate therein, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, lessee, or any other person, firm or corporation directly or indirectly in control of a building, structure, or real property or its duly authorized agent.

"Person" means any individual, firm, trust, partnership, company, association, society, corporation, limited liability company or other legal entity.

"ROW" means Right-of-Way, owned by the Village

"Service Area" means any land which is serviced by the municipal water system.

"Service Pipe" means the pipe delivering water from the watermain to the building pipe.

"Village" means the Village of Northport, Michigan.

"Village Clerk" means the Village employee designated by the Village Council to administer this Ordinance.

"Watermain" means a pipe owned and controlled by the Village used to carry water within the municipal water system to the service pipe for delivery to the water customer.

"Water Service Charges" means the fees billed to all customers connected to the municipal water system. The water service charges provide funds to cover the costs of operations, maintenance, debt service, replacement and administration services.

SECTION 4 AUTHORIZATION

1. All Connections to the municipal water system in the Village of Northport shall be made only pursuant to written permits issued by the Village. The owner or its agent must complete the application and pay the designated fee prior to receiving a permit authorized by the Village Clerk.

2. A Village designated Certified Water Operator shall be in charge of the Municipal Water System, working under the direction of the DPW Superintendent, and is in charge of approving all connections and all maintenance of the municipal water system.

3. The Village Clerk shall send out all water bills quarterly and shall be responsible for their collection. The Clerk shall place all unpaid water bills on the Village tax rolls after 6 months of unpaid bills. If the charges remain delinquent and unpaid after the expiration of the time limited in the warrant for the collection of taxes levied in such roll, such charges shall be sent 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.

SECTION 5 CONNECTION TO MUNICIPAL WATER SYSTEM

APPROVAL OF WATER CONNECTIONS:
The DPW approves and reserves the right to refuse any connection that could endanger the municipal water system. All connection to the municipal water system requires a DPW representative to be present at the time of connection, and for the owner, contractor or its agents to provide an as-built drawing within 15 days after the connection is completed.

RESPONSIBILITY DURING A CONNECTION
The property owner (applicant) is responsible for all costs and work associated with connecting to the Village water main. This includes excavation, tapping the water main, installing the service pipe from the main to the building, backfilling, and site restoration. All taps into the Village water main shall be performed only by the Village or its authorized contractor, with the owner bearing the full cost. The Village will furnish and install the corporation valve and curb stop (shut-off valve at the property line), and will furnish an approved water meter for the connection, the costs of which are covered by the required connection fee.

WORK IN THE VILLAGE RIGHT-OF-WAY
No work shall be permitted in the Village right-of-way (ROW) from December 1 through April 15. Emergency permits may be obtained at the DPW Supervisor's discretion.

CONNECTION REQUIREMENTS:
(a) Diameter. All service pipes shall be a minimum of one (1) inch in diameter and shall be type K, copper or other criteria may be at the discretion of the DPW, as appropriate. 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.
(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 Building pipe shall be laid along the outside wall or in any position where there is danger of freezing.
(d) Meters. All connections to the municipal water system, with the exception of fire hydrants, require a meter to regulate and measure water usage. 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.
(e) Meter Reader A meter reader will be provided by the DPW for the purpose of reading meters externally.

(f) Meter location. All meters must be set in a clean, dry, sanitary place that is easily accessible. Meters shall not be placed in locked or difficult-to-reach places.
(e) Location. No Service pipe shall be laid below a sanitary pipe.

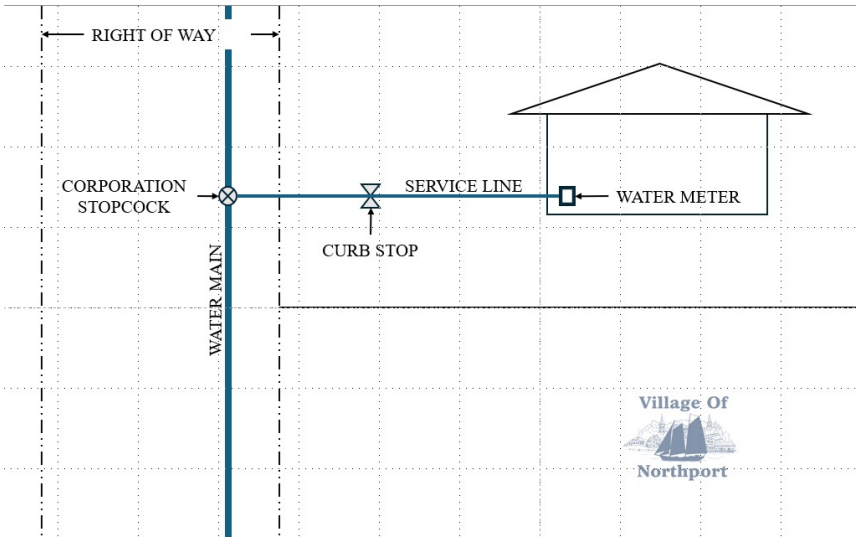
REQUIREMENTS FOR SERVICE AND CONNECTION MANDATES

All businesses and residents shall be required to connect to the municipal water system if their building is within 200 ft of the municipal water system. If connection to the municipal water system requires an extension of the water main beyond its current endpoint, the property owner or developer requesting service shall be responsible for the full cost of installing the required water main extension. The design and construction of any such extension must be approved by the Village, and all work shall be performed under Village supervision. 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 at the DPW's discretion, but no water source within the serviced Village water area may be used for human consumption.

SECTION 6 MAINTENANCE AND SERVICE

MAINTENANCE OF SERVICE

Every person having service from the Village municipal water System shall, at his or her own cost and expense, keep in repair that portion of the service pipe between the curb stop and the meter. The Village shall be responsible for maintaining the water main and the service pipe from the water main up to and including the curb stop valve. The property owner shall be responsible for maintaining the service pipe from the curb stop into the premises (through the meter).. Outside reporting of water meters is 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.



METER 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 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 owner is responsible for reporting damaged, non-working, or non-performing meters to the Village.

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 municipal water system and no such meter or auxiliary equipment shall be covered or fenced in such a way as to be inaccessible.

WATER SERVICE BEYOND EXISTING MAIN OR LIMITS OF THE VILLAGE
For the extension of water service beyond the existing municipal water system 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 designated fee for water connection, and (at a minimum) the same quarterly rates for service that are charged inside the corporate limits.

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 owner.

SECTION 7 PROTECTION FROM DAMAGES

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.

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 curb stop, interfere in any manner or tamper with any part of the municipal water 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 result in legal action by the Village.

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 cross-contamination into the public water supply or of the private well.
(a) The Village of Northport adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Health, being R325.11401 to R325.11407 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.

SECTION 8 RATES AND CHARGES

WATER SERVICE CHARGES

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.

All water service rates, fees, and charges shall be established by resolution of the Village Council and recorded in the Village's schedule of fees. This includes, but is not limited to, connection charges, turn-on/turn-off fees, quarterly base rates, and consumption charges per unit of water. The Village Council may revise such rates and fees from time to time by resolution, in accordance with applicable law.

SECTION 9 ENFORCEMENT

It shall be unlawful for any person to violate this ordinance. Any person violating this Ordinance shall be subject to a fine of $100.00 to $500.00 per occurrence as applied by the Northport Village Council. All State, County, and Township laws, ordinances, and policies must be adhered to. Fines will be levied on Village or Township taxes or in accordance with State Law.

SECTION 10 PUBLICATION

Within (15) days after the Ordinance is passed, the Village Clerk shall publish the Ordinance in the *Leelanau Enterprise*. Immediately after publication, the clerk shall enter into the Record of Ordinances a signed certificate stating the date and the name of the publication in which the Ordinance was published.

President's Authentication

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Date:_____

Clerk's Authentication

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Date:_____