

An Ordinance to provide for the construction, extension, maintenance and enforcement as may be necessary for the care, protection, preservation, management and control of the Public Water Works of the Village of Concord, and to repeal Ordinance # 111 B, 111 D, 111 E, 111 F, 111 G, 111 H, 134 and 135 as amended.

THE VILLAGE OF CONCORD ORDAINS:

SECTION 1.

The Village Council of the Village of Concord, Jackson County, Michigan, hereby determines it to be necessary for and to secure the public health, safety, convenience and welfare of the Village of Concord, to construct and maintain water works for the introduction of water into the Village and supplying the Village and inhabitants thereof with pure and wholesome water.

SECTION 2.

The Village Council may enter into contract or contracts to construct, purchase, acquire, improve, enlarge and extend the present water supply system within or without the corporate limits of the Village of Concord, upon such terms as the Village Council shall deem fair, just and reasonable, provided the construction, extending and enlarging of the present Village Water Supply System, including the acquisition of land or easement, shall be at the sole cost and expense of the party or parties requesting the same. Upon completion of said construction, extension or enlargement the completed system, together with all easements and right-of-ways shall become the property of the Village of Concord and the responsibility of repairing and maintaining said system shall be the obligation of the Village.

SECTION 3.

The connecting or supplying pipes, leading from buildings or yards to the distribution pipes, shall be inserted and kept in repair at the expense of the owner or occupant of the building or yard, except that the meter shall be installed and maintained by the Village. Connection shall not be made with the main pipe until a permit therefore shall be obtained from the Village. All such connecting or supply pipes shall be constructed and connected in the manner prescribed by the Plumbing Code.

SECTION 4.

The Village of Concord Water Department shall service all water meters at the cost and expense of the Village Water System except where such water meter is damaged either willfully, maliciously or accidentally or by freezing or in other related manner; then and in that event such water meter cost of repair or replacement shall be borne by the consumer/user.

SECTION 5.

No free service shall be furnished by the Concord Village Water System to any person, firm or corporation, public or private, or any Public Agency or instrumentality.

SECTION 6.

The system shall be operated on the basis of an operating year commencing on January 1 and ending on December 31.

SECTION 7.

The cost and expense of construction, extension, enlargement, purchase of land and equipment and the maintenance and operation of the Village Water System shall be paid with funds derived from user fees, special assessments, general taxation, and other sources of revenue to the Village not constitutionally prohibited for such use.

SECTION 8.

For water used through fire hydrants, the Village shall pay a charge of \$100.00 per year for each hydrant, which charge shall be payable in quarterly installments from the current funds of the Village, or from the proceeds of taxes which the Village, within constitutional limits, is hereby authorized and required to levy in an amount sufficient for that purpose.

SECTION 9.

The charges for water service which are under provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, made a lien on all premises served thereby and in all other cases where the charge for the water services are now or may subsequently become a lien upon the premises served hereby, unless notice is given that a tenant is responsible, and hereby recognized to constitute such lien and whenever any such charge against any piece of property shall be delinquent for six (6) months, the Village official or officials in charge of the collections thereof shall certify annually, on Sept. 1 of each year, to the tax assessing officer of the township in which such property exists, or other appropriate official, the fact of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general Village taxes or other liens against such premises are collected, and the lien thereof enforced.

SECTION 10.

That, charges for water service to each premise or user within the taxable water district of the Village and connected to the Municipal Water System, shall be as follows:

Base rate: The base rate is levied as long as a water meter is physically installed on the customer's premises. In those cases where a meter cannot be set, the customer will be billed the base rate of \$ 6.50 per month plus a commodity charge using the basis of 50 gallons of water consumed per day per person residing at the premises.

Commodity charge \$.50 per 1000 gals.
Over 90,000 \$.30 per 1000 gals.

for customers with fire sprinkler systems, an additional charge of _____ shall apply.

SECTION 11.

That charge for water service to each premise or user without the taxable water district of the Village and connected to the municipal water system shall be as follows:

Base rate \$ 11.00 (9-22-81)

Commodity charge \$.60 per 1000 gal.
Over 90,000 .40 per 1000 gal.

for customers with fire sprinkler system, an additional charge of _____ shall apply.

SECTION 12.

That, the following special rates shall apply:

A \$20.00 turn-on fee shall be required for any water service being turned on after adoption of this Ordinance. (This includes seasonal customers who request water service termination for various lengths of time.)

For any service that is turned on in the name of a renter, there shall be a \$20.00 turn-on charge plus a \$20.00 security deposit. The security deposit is to insure final payment of any bills upon termination of said renter as a water customer. Said deposit shall be returned without interest when all outstanding bills or charges are paid.

A security deposit not to exceed three times the estimated water bill for any given month, shall be required from all Commercial and Industrial customers of the Village Water Department, unless they can demonstrate to the Village Council's satisfaction that the deposit requirement should be waived. Said security deposit shall be returned without interest after a 24 month satisfactory bill-paying record has been established.

SECTION 13.

That, in addition to all other provisions related to non-payment of service charges, the Village shall have the right to shut off and discontinue the supply of water to any premise or user for the non-payment of water rates when due. If such charges are not paid with thirty (30) days from the due date thereof, the water service to such premises shall be discontinued. Water services so discontinued shall not be restored until all sums then due and owing shall be paid, plus a turn-on charge of \$20.00 and a security deposit equal to three (3) times an average monthly bill. Said security deposit shall be returned without interest after a 24 month satisfactory bill-paying record has been established.

SECTION 14.

Billing for water charges shall be made monthly, and water bills shall be sent to owners monthly, and shall become due and payable upon receipt. For all bills not paid by the 15th of the month a ten (10%) per cent penalty will apply. A 1% per month charge shall be added on delinquent balance.

SECTION 15.

Where the premises to which water is furnished, consists of more than one occupied unit or is a multi-family dwelling or use, and a separate water meter is requested by the owner for each unit of said premises, the Village of Concord Water Dept. System shall furnish and install at its expense and cost the first water meter, and any and all water meters installed and furnished in excess of one shall be at the expense and cost of the owner of the premises.

SECTION 16.

The revenues of the System are hereby ordered to be set aside, as collected, and deposited in a bank duly qualified to do business in Michigan, in an account to be designated WATER SUPPLY SYSTEM RECEIVING FUND (hereinafter referred to as the RECEIVING FUND), and said revenues so deposited are pledged for the purpose of the following funds and shall be transferred from the RECEIVING FUND periodically in the manner and at the times hereinafter specified.

(A) OPERATION AND MAINTENANCE FUND:

Out of the revenues in the RECEIVING FUND there shall be first set aside: quarterly, into a separate depository account designated OPERATION AND MAINTENANCE FUND, a sum sufficient to provide for the payment of the next quarter's current expenses of administration and operation of the System and such current expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order.

The Village Council, prior to the commencement of each operating year, shall adopt a budget covering the foregoing expenses for each year, and such total expenses shall not exceed the total amount specified in said budget.

(B) REPLACEMENT FUND:

There shall next be established and maintained a separate depository account designated as the REPLACEMENT FUND, which shall be used solely for the purpose of making major repairs and replacements to the System for which funds in the OPERATION AND MAINTENANCE FUND are not available or sufficient. There shall be deposited into said account, in quarterly installments, after providing for all requirements of the OPERATION AND MAINTENANCE FUND all the revenues of said System until such Fund shall total Three Thousand (\$3,000.00) Dollars. If, at any time it shall be necessary to use moneys in said Fund for such purpose, the moneys so used shall be replaced from the net revenues in the RECEIVING FUND which are not required by this Ordinance to be used for the OPERATION AND MAINTENANCE FUND.

(C) SURPLUS MONEYS:

Moneys remaining in the RECEIVING FUND at the end of any operating year after satisfying the above requirements shall be transferred to the REPLACEMENT FUND.

In the event the moneys in the RECEIVING FUND are insufficient to provide for the current requirements of the OPERATION AND MAINTENANCE FUND, any moneys and/or securities in other funds of the system shall be transferred to the OPERATION AND MAINTENANCE FUND.

SECTION 17.

That the Village adopts by reference, the Water Supply Cross-Connection Rules of the Michigan Department of Public Health being R 325.431 to R 325.440 of the Michigan Administrative Code.

SECTION 18.

That it shall be the duty of the Concord Village Water Dept. to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Concord Village Water Department and as approved by the Dept. of Public Health.

SECTION 19.

That the Concord Village Water Department 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 Concord 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 on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

SECTION 20.

That the Village of Concord Water Department is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this ordinance 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 (s) has been eliminated in compliance with the provisions of this Ordinance.

SECTION 21.

That 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 Village Plumbing Code. Any water outlet which could be used for potable or domestic purposed and which is not supplied by the potable system must be labelled in a conspicuous manner as:

WATER UNSAFE FOR DRINKING

SECTION 22.

That this Ordinance does not supersede the State Plumbing Code, but is supplemental to it.

SECTION 23.

That the addition of fluoride to drinking water supplies to the public by the Village Water Department is prohibited.

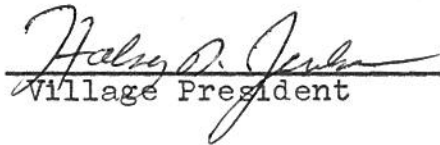
SECTION 24.

The Village shall, in no event, be held responsible for claim made against it by reason of the breaking of any mains, or service pipes or by reason of any interruption of service pipes or by reason of any interruption of service 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.


SECTION 25.

The premises receiving water service shall at all reasonable hours be subject to inspection by duly authorized personnel of the Village.

Adopted Aug. 26, 1981



Village President



Village Clerk

Amendment to Ordinance # 130 SEWAGE, Section 4: Billing.

Billing for sewage charges shall be monthly and sewage bills shall be sent to owners monthly and shall become due and payable upon receipt. For all bills not paid by the 15th of the month, a ten (10%) percent penalty will apply. A 1% per month charge shall be added on delinquent balance.

9-22-81

ORDINANCE # 146

BUDGET ORDINANCE

AN ORDINANCE to establish a budget system for the Village; to define the powers and duties of the village officers in relation to that system; to provide that the chief administrative officer shall be furnished with information by the departments, boards, commissions, and officers relating to their financial needs, receipts and expenditures, and general affairs; to provide for an annual budget resolution; to prescribe a disbursement procedure; and to provide penalties for refusal or neglect to comply with requirements of this ordinance.

THE VILLAGE COUNCIL OF THE VILLAGE OF CONCORD RESOLVES:

SECTION 1. Title.

This Ordinance shall be known as the Village of Concord Budget Ordinance.

SECTION 2. Fiscal Year.

The fiscal year of the Village shall begin on Jan. 1st in each year and close on the following Dec. 31st.

SECTION 3. Chief-Administrative Officer and Fiscal Officer.

The president shall be the Chief Administrative Officer referred to in this ordinance, and shall be responsible for the performance of the duties of that officer enumerated in this ordinance. The president may appoint a fiscal officer and delegate to that officer any or all of the budgeting duties specified in Sections 5 through 8. The fiscal officer shall be responsible to the chief administrative officer for the performance of budgetary duties.

SECTION 4. Budget Policy Statement.

No later than Oct 1st of each year, the chief administrative officer shall send to each officer, department, commission, and board of the local unit, a budget policy statement for the use of those agencies in preparing their estimates of budgetary requirements for the ensuing fiscal year.