

VILLAGE OF VERMONTVILLE, EATON COUNTY, MICHIGAN
CODE OF ORDINANCES

ARTICLE ONE: UTILITIES AND INFRASTRUCTURE

The ordinances adopted by the Village of Vermontville pertaining to the water, wastewater and transportation systems and facilities of the Village are assembled in this Article One: Utilities and Infrastructure.

CHAPTER 1. VILLAGE WATER SYSTEM.

1.1 APPLICABILITY. The Village of Vermontville public water system shall be governed by the rules, regulations and procedures set forth in this Chapter.

1.2 APPLICATION FOR SERVICE

- A. When the installation of service pipes is desired from the water distribution system an application in writing, on an approved form, shall first be made to the Village Clerk. Such application shall set forth the true legal description of the premises it is proposed to serve, the size of the service desired and such other pertinent data as may be required by the Water Works. The applicant shall be required to answer truthfully all questions regarding such application which may be put to him by an officer or employee of the Water Works.
- B. Every person who shall be supplied, or whose property shall be supplied, with water by the Water Works of the Village shall be deemed to have accepted and approved, this Chapter and all the rules of the Village governing and regulating the supplying of water, and the same shall constitute a part of the contract between such person and the Village. Each application shall be signed by the owner of the property or his legally authorized agent
- C. Connections to the distribution mains shall be installed only by the Village and then only upon the prepayment of the fees established therefor e, by this Chapter, and the subsequent payment of the actual cost of the stub service.
- D. After the service pipes have been installed to the premises persons may apply for and be granted the use of water, provided such application is made in writing, on an approved form, at the office of the Village Clerk and provided further, that the applicant agrees to be

bound by all the legally established rules and regulations of the Village regarding the Water Works.

- E. Tenants of persons complying with the provisions of Section 1.16, B of this Chapter with respect to execution of leases and filing of affidavits shall not be granted the use of water until they have paid the deposit required by the Village. Further, the amount of the deposit required may be revised by the Village Council, to be approximately equal to the largest normal water bill on the premises for any six months preceding consecutive period, or an estimate thereof. Such deposit shall bear no interest and shall be retained by the Water Works until service has been discontinued and all rates and charges paid and the meter returned in good condition. The Water Works shall have the right to use such portion of that sum to repair any meter damaged by reason of the owner's or customer's negligence and to pay any unpaid rates or charges for which they may be liable and the person, persons, making the deposit shall be required to pay such additional sums as shall be necessary to have on deposit at all times the sum required by the original deposit.
- F. Whenever a customer shall have promptly paid his water bills for at least two years and shall have otherwise established satisfactory credit in the Village, the Water Works may refund his deposit.

1.3 INSTALLATION OF SERVICE

- A. The Water Works may postpone the granting of permission to connect a service at such times as in their judgment the making of connections will endanger the mains from freezing or other damage
- B. A "Stub Service" is defined as any service connection with the principal mains, and service pipes from said principal mains to approximately two feet back of the curb line, or gutter line where there is no curb, including the stop or curb cock or valve and box for same. Stub services shall be furnished and installed only by properly authorized employees of the Water Works, acting under its orders and direction, and at the expense of the consumer. The owner of the property served shall pay the actual cost of all labor and materials entering into such service connections, plus a fee as established by the Village Council from time to time to cover the cost inspection of the owner's portion of the service, overhead, and maintenance to tools. Actual costs shall include the re-paving and maintenance of the roadway until restored to a condition equal to the existing roadbed before the excavation was made.

- C. No person shall make any connection with the above mentioned stub service or extend the same to the building or meter, located either at the curb or within the basement, except a regular employee of the Water Works, or a duly licensed plumber and he only when having a special permit from the Water Works showing that the service has been inspected and approved.
- D. The plumber designated and employed by the owner of the premises will be considered the agent of such owner while employed in the prosecution of the work of introducing water into said premises as the agent of the Water Works. The Village will not be responsible for the acts of such plumber. The owner and plumber will each be held responsible for the trench opened by them.
- E. Every single house must have a separate connection with the street main.
- F. No person shall make any attachment or connection with the water distribution system or make any repairs, additions in, or alternations of any fixtures connected with the system unless such connection, repairs, additions, extensions, or alterations are in accord with this Chapter and the code approved by the state plumbing board, and with any additional rules and regulations, regulating the installation of plumbing which the Village Council may from time to time adopt. 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 Water Works representative who has authority, hereby granted, to order any part of such work disconnected or changed in order that the same shall comply with the rules and regulations of the department.
- G. The curb cock or valve on any stub service shall not be opened or left open by the plumber or any other person after connecting said service at the curb, so that the water may be supplied to such premises by said service, unless and until the service pipe and installation has been inspected and approved by the Water Works and the meter installation completed. In case of building operations, special temporary permission may be given by the Water Works under such conditions as it may prescribe.
- H. All rights, title and ownership to the stub service, including the corporation cock, service box, stop cock and service pipe between them shall be vested in the Village of Vermontville.
- I. All service pipes between the main and the meter shall be to code, refer to the Eaton County Building Codes. No service shall be laid along the outside wall or in any position where there is danger of freezing. Every service shall be furnished with a valve with waste on the influent side of the meter below the action of frost and on 2 inch and larger meters

a valve shall also be placed on the effluent side of the meter. When such valve is placed under the floor, the rod operating the valve shall extend above the floor. Service pipe laid in the same trench with a sewer shall be at least 18 inches distant from the sewer horizontally, and if the sewer is laid to a greater depth, the water service shall be shelved into the bank to a solid bottom. In no case shall a service pipe be laid on a fill.

- J. Where trenches are opened for the laying of service pipes and such service pipes installed, said trenches, materials and workmanship shall be inspected and tested for leakage by the Water Works before the same are backfilled. The owner or the plumber performing such work shall notify the Water Works that such trench and service are ready for inspection and test.
- K. Stand pipes, or other pipes for automatic suppression of fires in buildings, which fixtures are only intended for such use, may be permitted to be attached to the water supply system. Application for such permits, accompanied by a plan of the proposed pipe system must be submitted to the Village Council for approval. No additional fixtures, connections or extensions, shall be made in any fire system. The entire cost of installing the fire service shall be borne by the owner of the building supplied. Such services shall be subject to the maintenance provisions as given in Section 1.4 below.

1.4 MAINTENANCE OF SERVICES. The owner of property into which water is introduced by a service, pipe will be required to install and maintain in perfect order, at his own expense, the said service pipe from the curb cock and box to the meter on or for his premises, including all fixtures therein provided for delivering or supplying water for any purpose. In case such service and fixtures are not so kept in repair, the Water Works may shut off the service or may make all necessary repairs, and renewals, or parts thereof. The expense of such work, and all materials and labor required, shall be paid by the property owner.

1.5 METERS

- A. All connections with the water mains, with the exception of fire hydrants and fire protection sprinkler systems, must be prepared for the use of water through a meter and no water shall be supplied to any inhabitant of the Village unless such water shall be measured by a water meter of a design approved and installed by the Water Works. The Water Works will not be required to furnish meters of a larger size than in the judgment of the Water Works appears necessary.

- B. Water for automatic sprinkling systems will be furnished for the rates set forth herein. No person shall use any water from a sprinkler system, except in case of fire.
- C. All meters must be set in a clean, dry, sanitary place easily accessible. They will not be allowed in closets or compartments that are kept locked; in coal bins, in or under toilet room floors; in pits below basement floors; under buildings having no basements; porches, show windows, show boards or any other places where they are difficult of access. 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 Water Works. The cost of construction of meter pits shall be borne by the owner of the property.
- D. Actual placing of the meter shall be done by the Water Works after the property owner has made application for same and provided a place in the system, with an approved service, at his own expense, for setting the meter. In case an application for water service has been filed and no provision made for the meter, the Water Works will not be required to set the meter or supply service until the place to install the meter has been provided. The space occupied by the meter and the meter box shall at all times be kept accessible and free from rubbish or obstructions of any kind.
- E. Meters will be furnished by the Water Works, and for a setting charge as herein provided, at no cost to the customer, and all rights, title and ownership of the meter shall be vested in the Village of Vermontville.
- F. The Village will maintain all meters and make all necessary replacements caused by wear through normal usage. The customer will be held responsible for care and protection of the meter from freezing or damage by hot water and from injury by any person or persons. Any 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 said meter is placed, shall be paid for by such person upon presentation of a statement of damages. Meters shall be repaired only by the Water Works or its authorized agents.
- G. In case a meter reading does not appear to be consistent, or in case the meter has ceased to register, the amount of water charged for shall be the amount estimated by the Water Works. In making such estimates, previous quantities of water used by the same premises shall be used as a basis for said estimates, but special conditions found, such as leaking fixtures or abnormal demand for water may be also considered. When it appears that abnormal use of water has resulted from leakage or carelessness on the part of the consumer, no deduction shall be made therefore.

- H. All persons are forbidden to interfere with or remove any service connection. No person shall break, remove or shall cause to suffer to be broken, removed or tampered with which is placed on any meter or service box by an employee of the Water Works. No person shall place or cause or suffer to be placed any device which shall serve to allow any water to be used which does not pass through the meter.
- I. It shall be the duty of the Water Works to read all periodically and to render statements for the amounts due as shown by the reading. Statements shall be payable as determined by this Chapter, but in no event shall failure to receive a statement excuse any consumer for non-payment thereof.

1.6 DISCONTINUING SERVICE

- A. If any payment for the use of water, or any fees as determined by this Chapter or by resolution of the Village Council remains unpaid for a period of thirty days after the due date, the Water Works may cause the water supply to be turned off and the meter removed from such premises, until such time as payments and all applicable fees shall have been fully paid. The Village Council shall establish by resolution a fee to be charged in addition to all other unpaid fees whenever the Water Works shall turn off such service and said fee shall be called a "Turn-Off" fee.
- B. It is understood and agreed by all parties making application for water that the Water Works or the Village of Vermontville shall not be liable for any damage which may result to any person or premises from shutting off of the water from any mains or service, for any purpose whatever, even in cases where no notice is given.
- C. When the water supply to any building, structure, or premises shall have been shut off, or stopped by, or under the direction of the Water Works in accordance with the provisions of Section 1.6, A, above, the water shall not again be supplied to such building, structure of premises until the charges and penalties have been paid plus a "Turn-On fee" as established by resolution of the Village Council. If water service is not resumed by the consumer, any unpaid charges and penalties shall be deducted from the deposit made with the Water Works or become a lien on the property served as herein provided.
- D. Water shutoffs and turn-ons will only be done during normal business hours, except for emergencies. Payments are to be made during normal business hours also.

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- 1.7 **ACCESS TO PROPERTY.** The Water Works through its authorized representative shall have access to the meter and all water piping and plumbing fixtures at any reasonable hour for the purpose of inspecting the meter or any of the 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.

1.8 USE OF HYDRANTS

- A. No person shall without written authority draw water from any public hydrant or any other public connection with the water supply system except in emergency cases for the purpose of extinguishing fire, or fire practice by the regularly organized fire department. Permits to use hydrants shall be granted by the Village Clerk only for specific hydrants at specific times for specific work.
- B. Any person holding permission from the Village Clerk to use a fire hydrant shall keep their written permit at the place of use and it shall be displayed to any member of the fire department or village official upon request.
- C. Any person desiring services from a fire hydrant shall place on deposit such a sum of money as the Village Clerk shall designate, which sum shall be held until all charges incurred have been fully paid and all Water Works equipment returned in good condition. The Water Works shall have the right to use any portion or all of such deposited sum to repair or replace any equipment damaged through negligence of the person using the hydrant or by reason of its use thereof.
- D. Before the use of water from a hydrant is allowed, the discharge port shall first be fitted with a valve suitable to the fire department and under the direction of the Water Works. The main valve of the hydrant must be opened full at the beginning of work each day, and remain open until the stoppage of work at night. The water supply shall be regulated by the independent valve. The hydrant shall be operated only by a proper hydrant wrench which shall be obtained from the Water Works or Fire Department.
- E. Water must not be allowed to run except when used. No leaking hydrants shall be permitted. All persons using hydrants shall immediately obey any instructions or orders that may be issued by the Water Works to regulate the use of the hydrants.
- F. If the use of water from a hydrant is to be continued over a number of days, the Water Works, weather permitting, may require a meter to be applied to the connection made with the hydrant, at the expense of the party using same, and said party shall pay for all water by meter measurement at the stipulated rates.

1.9 TAMPERING WITH PROPERTY

- A. It shall be unlawful for any person to disturb, remove, alter or tamper with any water meter, except an authorized agent of the Water Works.

- B. No person shall willfully or maliciously break, injure, or disturb any water main, service pipe, meter or water fixture or facility of any kind. No person except members of the fire department or Water Works shall unlock, unscrew, or take off the cap, or cover of any hydrant, or open or close the valve thereof, or in any manner operate or use, any hydrant (except under a special written permission issued by the Water Works).
- C. No person, except a duly authorized employee of the Water Works, shall open, close, or in any way interfere with any valve or gate in any water main, conduit or street pipe. This paragraph applies also to curb cocks on stub services except as herein provided in Section 1.3, G.
- D. Any person who has disturbed or displaced a valve box so that the valve stem cannot be reached by a key, or who has covered a valve box or manhole cover of a valve chamber with dirt, paving plank or other material shall immediately replace the valve box or remove the obstruction.

1.10 CROSS CONNECTION RULES

- A. The Village of Vermontville 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.
- B. It shall be the duty of the Village of Vermontville 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 re-inspections based on potential health hazards involved shall be as established by the Vermontville Water Works and as approved by the Michigan Department of Public Health.
- C. The representative of the Council of the Village of Vermontville shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of Vermontville 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.
- D. The Vermontville Water Works is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this Chapter 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 Chapter.

- 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 Chapter and by the state and village code. 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 Chapter is supplementary to the standards of the State Plumbing Code and other relevant Village of Vermontville ordinances.
- G. Any person or customer found guilty of violating any provisions of this Chapter, or any written order of the Council of the Village of Vermontville, in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$500.00 plus any costs incurred by the Village, for each violation. Each day upon which a violation of the provisions of this act shall occur shall be deemed a separate and additional violation for the purpose of this Chapter.

1.11 SERVICE TO MULTIPLE DWELLING UNITS

- A. Scope: Individual units that are responsible for their individual water/sewer bills must have their own water meter and shut off at the curb/property line. If the landlord is responsible for the water/sewer bills they may have a single meter with single shut off with readiness to serve charge multiplied by the number of units in the multiple dwelling.
- B. Connection: If a splitter (wye) is used on the present line, it must have a curb stop, box, meter and line for each unit. There will be no privilege connection fee. However, there will be an inspection fee and meter set fee (i.e., meter cost). All expenses will be the property owner's responsibility. If a new line is added to the main, all fees as outlined in Article One, Chapters 13 and 14 and any other ordinances which could apply to water and sewer connections shall apply. There will be a readiness to serve charge for each unit.
- C. Application and Inspection. Prior to any installation of water lines and/or wyes a water and/or sewer permit shall be purchased, completed and all applicable fees shall be paid. All work shall be inspected by the Village of Vermontville or County and/or State, if applicable. Water service shall not be turned on until all inspections are found to be satisfactory.
- D. Security Deposit: It shall be the responsibility of the contractor to deposit with the Village Clerk a cash security deposit in an amount as established by resolution of the Village Council for each multiple unit before work commences. The security deposit shall be returned to the contractor, with no interest, upon the completion of the job and satisfactory inspections.

E. Timeframe for Completion. Owners of multiple unit dwellings with multiple bills shall have twelve months, to complete all necessary changes. If all changes are not satisfactorily met and inspected, water service may be discontinued at the street until all necessary changes have been met.

1.12 FLUORIDE PROHIBITED. No fluoride shall be added to the potable water supply system of the Village of Vermontville unless the question of adding fluoride to the water system is submitted to the electors of the Village, upon a petition filed with the Clerk, as provided by Section 2, Act 346, Public Acts of Michigan of 1968.

1.13 SALE OF WATER TO VERMONTVILLE TOWNSHIP FOR FIRE FIGHTING. The Village of Vermontville and Vermontville Township shall seek to adopt and maintain an agreement pertaining to the sale, use, billing methods and means of determining water usage in fire fighting.

1.14 RATES

A. The rates for services furnished by the Water Works shall be as follows: All metered water shall be charged at a two part rate consisting of a readiness to serve charge, plus a commodity charge.

B. The minimum charge shall be the Readiness to Serve Charge.

C. All rates, fees, and charges for water services furnished by the Water Works under Sections 1.14, A and B, shall be payable monthly. All bills for such services shall be due and payable within thirty (30) days following the end of each month.

D. A penalty of ten (10%) per cent will be added to all bills not paid within said thirty days. All charges for water supplied during any month shall be paid within the succeeding month. The village shall have the right to turn off the water from any premises against which such charges shall not be paid within such succeeding month; such unpaid balance shall become a lien on the property served as herein provided. When so turned off, the water shall not be turned on again until the charges and penalties have been paid.

G. For building purposes only, where it is not advisable or practical to install a meter the owner or contractor may be furnished water temporarily for construction at a fixed flat rate. In such instance, the owner or contractor shall make written application to the Village Clerk giving the estimated service required as to time and quantity, and make payment in advance of the amount of charges for water as determined by the Village Council.

1.15 FEES AND DEPOSITS

- A. Tapping and connection charges will include the actual cost of labor and material for installing service connections with the distribution mains, or the cost as estimated by the Village Council, plus a privilege connection fee as established by resolution of the Village Council. The fee shall accompany the application for service. The cost of the service connection shall be paid within thirty (30) days after completion of the work.
- B. A fee will be charged for the original setting of the water meter, said fee shall be set at the prevailing cost of same with the fee to be paid before installation of the meter.
- C. In premises where water has been discontinued or turned off and suitable arrangements and application have been made to resume the service, a "turn-on" fee in an amount established by resolution of the Village Council shall be paid to the Village Clerk before the curb cock or valve is to be opened by an employee or agent for the Water Works.
- D. Properties owned and rented out in the village, serviced by the village water system, where owner wants the renter to pay the water bill for said property will require a deposit, set by resolution of the council, to be paid at the village office. This deposit will be held for such time as the renter lives on the premises. The deposit to be refunded after any fees or penalties owed are deducted. Owners can opt to pay the water bill themselves; the owner is ultimately responsible for all service fees and penalties incurred. If not paid then service shall be shut off until all fees and penalties are paid in full.

1.16 COLLECTIONS

- A. In addition to other remedies possessed by the Village for the collection of water rates, assessments, charges or rentals for the use or consumption of water supplies or made available to any house or building or any premises, lot or lots, or parcel or parcels of land in the Village, the Village shall have as security for the collection hereof a lien upon such house or other building and upon the premises or lot, or lots, or parcel, or parcels of land, upon which such house or other building shall be situated, or to which such water has been supplied. Such lien shall become effective immediately upon the distribution of water to the premises or property, to which water is supplied, and the official records of the Water Works of said Village shall constitute notice of the pendency of said lien. Said lien shall have priority over all other liens except taxes and special assessments whether or not such liens accrued or were recorded, prior to the lien herein created.
- B. All unpaid water charges which upon the first day of April of each year have remained unpaid for three months or more shall be reported by the Village Clerk to the Village Council at the first meeting thereof in the month of April. The Village Council shall thereupon order the publication in a newspaper published at least weekly, of notice to all owners of property within the village that all unpaid water rates, fees, or charges, which

have remained unpaid for a period of three months or more, as of the first day of April which have not been paid by the 30th day of April will be transferred to the tax roll and assessed upon the Village's tax roll against the property to which the water for which the unpaid rates, fees or charges accrued, to be collected in the same manner as the lien created by village taxes on said tax roll. All paid water rates, fees, or charges which are reported by the Village Clerk to the Village Council as having been unpaid for a period of months or more on the first day of April of each year which remain on the 30th day of April shall be transferred to the Village tax roll and assessed against the property to which the water was supplied or furnished, which unpaid rates, fees, or charges accrued shall be collected with and in the same manner as village taxes are collected, if the same shall 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 returned to the County Treasurer, collected in the same manner as the lien created by village taxes on the delinquent tax roll of the village.

1.17 LIMITATIONS OF SERVICE

- A. The Water Works reserves the right to limit the amount of water furnished to any consumer should circumstances seem to warrant such action; although no limit may be stated in the application or permit for use; or said Water Works may entirely shut off the water supply used for any manufacturing purpose, or for furnishing power or for lawn sprinkling at any time, by giving reasonable notice to the consumer of such intended action.
- B. In the case of making or constructing new work, in making repairs or leakage tests, the right is reserved to shut off the water from any consumer, without notice, for as long a period as may be necessary.
- C. In all places where steam boilers or hot water tanks are supplied with water from the village water supply, the owner or consumer must have placed a suitable safety valve, vacuum valve or other proper device to prevent damage from collapse or explosion when the water is shut off. There shall be placed on the effluent side of the meter a suitable check valve to prevent back flow or hot water or steam into the meter.
- D. The Water Works or the Village shall not be liable for any damage or loss of any nature or kind to property or persons, which may arise from, or be caused by any change, either increase or decrease, in pressure of water supplied, or for shutting off the water for any purpose whatever.

1.18 PENALTIES. Any person, firm or corporation violating any of the provisions of this Chapter shall, upon conviction in a court of competent jurisdiction shall be guilty of a misdemeanor

and upon conviction shall be subject to a fine of not to exceed \$100.00 or by imprisonment in the County Jail for not to exceed ninety (90) days, or both such fine and imprisonment in the discretion of the Court.

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