

CHAPTER 1048
Sewer Rates and Charges

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CROSS REFERENCES

Sewers and sewer systems generally - see Mich. Const. Art. 7, Sec. 24; M.C.L.A. Secs. 46.171 et seq., 67.34, 123.241 et seq., 323.151 et seq., 325.201 et seq.
Sewers and sewer systems in home rule cities - see M.C.L.A. Secs. 117.4b, 117.4e, 117.4f, 117.35
Sewers generally- see S.U. & P.S. Ch. 1046
Sewers in subdivisions - see P. & Z. 1246.41, 1284.12

1048.01 SEWER SERVICE CHARGE; INSTALLATION OF METERS; SERVICE BY CONTRACT.

(a) Maintenance Fee. Bills for sewer service include a monthly maintenance fee, which is necessary to maintain and operate the sewer system. The maintenance fee shall be assessed, billed, and be payable in accordance with the rates provided for in a resolution adopted by City Council, as the same may be amended from time to time. Every sewer user whose property or structure is physically connected to the sewer system shall pay a monthly maintenance fee for the privilege of being connected to the sewer system. Such maintenance fee shall be billed and payable without regard to whether any water was actually consumed by the sewer user during the applicable billing period. Maintenance fees shall be assessed, billed and be payable regardless of any discontinuation of sewer service that is requested by a sewer user or imposed by the Municipality with respect to the failure of a sewer service customer who is connected to the sewer system to pay fees and charges. In any multi-unit dwelling that is serviced by one meter, the monthly maintenance fee for sewer shall be billed per dwelling in said unit. "Multi-unit dwelling" means a residential unit, whether a private home, apartment house, motel or other type of residence, in which there is more than one individual living unit.

(b) Consumption Rate. In addition to the applicable maintenance fee, all sewer users shall be charged for sewage that is discharged into the Municipal system based on the meter measurement of water supplied to them by the Municipality. Charges with respect to such sewer consumption shall be calculated, billed, and be payable in accordance with the rates provided for in a resolution adopted by City Council, as the same may be amended from time to time.

(c) Customers of the sanitary sewer system who are not also customers of the Municipal water system shall be required to install, at their own expense, a water meter to meter their own water supply source, and shall be billed at the rates established in (a) and (b) above; or may choose instead to pay four times the minimum sewer maintenance fee established in (a) above.

(d) Service to industrial establishments, schools, or other entities exempt from property tax will be by contract if the Municipality deems this to be in its best interest.

(e) Bills for sewer service are due and payable at the business office of the Municipality, or to any designated agent, on their date of issue. Bills for the rates and charges as herein established by the City of Litchfield shall be sent monthly. All bills shall be due and payable upon receipt, but in no case later than the twentieth day of the month received, and shall be paid at the office of the Treasurer of the City of Litchfield. If the bill or any portion thereof shall remain unpaid after sixty days following the due date, the water, sewer, and garbage services for the lot, parcel of land, or premises affected shall be cut off and shall not be turned on again except on payment in full of all charges owed to the City for water, sewer, and garbage collection services in addition to a reconnection fee in the amount established from time to time by resolution of the City Council.

Meters shall be read monthly by the Municipality.

(Ord. 93-3. Passed 10-19-93; Ord. 94-5. Passed 9-12-94; Res. 2007-08. Passed 5-15-07; Res. 2008-13. Passed 5-13-08; Res. 2011-06. Passed 5-10-11; Ord. 2011-6. Passed 7-12-11.)

1048.02 LIEN, PAYMENT OF BILLS, SHUT OFF REQUIREMENTS.

(a) The city shall have as security for the collection of rates and charges a lien upon the real property supplied with sewer service, which lien shall become effective immediately upon the supplying of sewer service and shall be enforced as provided in this chapter.

(b) Bills for the rates and charges as herein established by the City of Litchfield shall be sent monthly. All bills shall be due and payable upon receipt, but in no case later than the twentieth day of the month received, and shall be paid at the office of the Treasurer of the City of Litchfield. If the bill or any portion thereof shall remain unpaid after sixty days following the due date, the water and garbage services for the lot, parcel of land, or premises affected shall be cut off and shall not be turned on again except upon payment in full of all charges owed to the City for water, sewer, and garbage collection services in addition to a reconnection fee in the amount established from time to time by resolution by the City Council.

(Ord. 6038. Passed 3-2-70; Ord. 2003-04. Passed 4-14-03; Ord. 2004-06. Passed 10-12-04.)

1048.03 TAP-IN CHARGES.

Each premises tapping into the system and securing therefrom sewer service shall pay, in cash, at the time of the application for the tap, a connection fee of one thousand five hundred dollars (\$1,500.00) and an inspection fee of ten dollars (\$10.00), or such other amounts as may from time to time be established by resolution of the City Council.

(Ord. 75-3. Passed 10-14-75; Ord. 2003-04. Passed 4-14-03; Res. 2012-05. Passed 5-8-12; Res. 2013-04. Passed 5-21-13; Res. 2015-06. Passed 5-19-15.)

1048.04 LIABILITY OF OWNER, OCCUPANT AND USER OF SERVICE.

The owner of the premises served and the occupant thereof and the user of the sewer service shall be jointly and severally liable for the sewer service provided to said premises.

(Ord. 6038. Passed 3-2-70; Ord. 2003-04. Passed 4-14-03.)

1048.05 CITY TREASURER.

It is hereby made the duty of the City Treasurer to render bills for sewer service and all other charges in connection therewith and to collect all monies due therefrom. Bills more than ninety (90) days delinquent shall be reported to the City Assessor and the amount thereof assessed with the city tax on the property to which the sewer service is furnished.

(Ord. 6038. Passed 3-2-70; Ord. 2003-04. Passed 4-14-03.)

1048.06 SEWER SYSTEM FUND.

All revenues and monies derived from the operation of the sewer system shall be paid to and held by the Treasurer separate and apart from all other funds of the Municipality and all of said sums and all other funds and monies incident to the operation of said system, as may be delivered to the Treasurer, shall be deposited in a separate fund designated the "Sewer System Fund Account". The Treasurer shall administer said Fund in every respect in a manner provided by the statutes of Michigan pertaining thereto.

(Ord. 6038. Passed 3-2-70.)

1048.07 RECORDKEEPING; INDEPENDENT AUDITS.

The Clerk shall establish a proper system of accounts, and shall keep proper records, books, and accounts in which complete and correct entries shall be made of all transactions relative to the sewer system and, at regular annual intervals, the City Council shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewer system.

(Ord. 6038. Passed 3-2-70.)

1048.08 MODIFICATION OR AMENDMENT OF SEWER SERVICE CHARGES AND FEES.

All of the rates and charges herein established shall continue in full force and effect until the same are modified or amended by resolution of the City Council.

(Ord. 2003-11. Passed 10-14-03.)

1048.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 of the Administration Code for the general Code penalty if no specific penalty is provided.)

SCHEDULE A

TABLE OF USER EQUIVALENTS

<u>USAGE</u>	<u>UNIT FACTOR</u>
Barber Shops	.14 per chair
Bars	.09 per seat
Beauty Shops	.223 per booth
Manual Car Wash	2.00 per single production line
Churches	1.6 (present church building)
Clinics (minimum assignment-1.00 unit per profession)	.50 per doctor
Factories	.50 per 1,000 sq. ft.
Fraternal Organizations (members only)	1.00 per hall
Fraternal Organizations (members and rentals)	2.00 per hall
Grain Elevator (mill area - factory rate); (balance of building - warehouse rate)	
Laundry (self-service)	.54 per washer
Multiple Family Residence	.56 per unit
Office Building	.50 per 1,000 sq. ft.
Restaurants (dinner and/or drinks)	.08 per seat
Retail Establishments	.50 per 1,000 sq. ft.
Schools (present system)	2,400.00 (present system)
Service Clubs	.50 per 1,000 sq. ft.
Service Establishments	.50 per 1,000 sq. ft.
Service Stations (gasoline)	1.0 per stall
Swimming Pools	2.85 per 1,000 sq. ft.
Trailer Parks (central bath house)	.35 per trailer
Warehouses (with plumbing)	.10 per 1,000 sq. ft.

In no case will there be less than one unit assigned to any property. Any usage, if not specifically outlined above, will be determined by action of the City Council.
(Ord. 6038. Passed 3-2-70.)