

CHAPTER 1042  
Water Rates and Charges

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CROSS REFERENCES

Water quality - see Mich. Const. Art. 4, Secs. 22, 52; M.C.L.A. Secs. 67.38, 323.1 et seq.

Water supply generally - see Mich. Const. Art. 7, Sec. 24; M.C.L.A. Secs. 46.171 et seq., 123.111 et seq., 325.201 et seq., 486.51 et seq., 486.101 et seq.

Water generally - see S.U. & P.S. Ch. 1040

Water supply cross-connection control - see S.U. & P.S. Ch. 1044

Disconnection and reconnection of service - see S.U. & P.S. 1046.13(d)(3), 1048.02

Water in subdivisions - see P. & Z. 1246.41, 1248.11

**1042.01 WATER SERVICE RATES.**

(a) Maintenance fee. Bills for water service include a monthly maintenance fee, which is necessary to maintain and operate the water system. The maintenance fee shall be assessed, billed, and 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 water user whose property or structure is physically connected to the water system shall pay a monthly maintenance fee for the privilege of being connected to the water system. Such maintenance fee shall be billed and payable without regard to whether any water was actually consumed by the water user during the applicable billing period. Maintenance fees shall be assessed, billed, and payable regardless of any discontinuation of water service that is requested by a water user or imposed by the Municipality with respect to the failure of a water service customer who is connected to the water system to pay fees and charges. In any multi-unit dwelling that is serviced by one meter, the monthly maintenance fee for water 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 water users shall be charged for water supplied to them by the Municipality according to meter measurement. Charges with respect to such water consumption shall be calculated, billed, and 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.

(Ord. 94-1. Passed 1-25-94; Res. 97-13. Passed 9-8-97; Res. 2007-08. Passed 5-15-07; Res. 2008-13. Passed 5-13-08; Res. 2011-06. Passed 5-10-11; Ord. 2011-08. Passed 7-12-11; Res. 2019-07. Passed 5-21-19.)

#### **1042.02 FIRE PROTECTION SPRINKLER SYSTEM RATES.**

(a) There are hereby established rates and charges for the use of and for the service supplied by the Municipal Water System of the City of Litchfield in connection with fire protection sprinkler systems, based upon the following classification groups for commercial and industrial establishments in said City:

(1) Light Hazard	24,705 sq. ft.
(2) Ordinary Hazard Group 2	186,435 sq. ft.
(3) Ordinary Hazard Group 3	107,760 sq. ft.

(b) The fire protection sprinkler system rates and charges for the above classification groups shall be as follows:

(1) Light Hazard	\$0.002 per sq. ft. per quarter
(2) Ordinary Hazard Group 1	0.004 per sq. ft. per quarter
(3) Ordinary Hazard Group 2	0.005 per sq. ft. per quarter
(4) Ordinary Hazard Group 3	0.006 per sq. ft. per quarter
(5) Wood Workers	0.007 per sq. ft. per quarter
(6) Extra Hazard	0.007 per sq. ft. per quarter

(Ord. 83-6. Passed 1-9-84.)

#### **1042.03 LIEN; PAYMENT OF BILLS; SHUT-OFF REQUIREMENT.**

(a) The city shall have as security for the collection of rates and charges a lien upon the real property supplied with water, which lien shall become effective immediately upon the supplying of water 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 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.

(Ord. 83-6. Passed 1-9-84; Ord. 2003-03. Passed 4-14-03; Ord. 2004-05. Passed 10-12-04.)

**1042.04 WATER SERVICE APPLICATION; CONNECTION CHARGE; METER.**

Applications for water service shall be filed with the City Clerk upon a form to be supplied by the City of Litchfield. The application shall state the name of the applicant and the premises to be served. All applications for hook-up to the City of Litchfield water system shall be accompanied by a fee of one thousand dollars (\$1,000.00) for the connection charge and ten dollars (\$10.00) for an inspection fee which amounts shall be payable to the City of Litchfield. The charges herein established for the connection fee and the inspection fee shall remain in full force and effect until the same are modified from time to time by resolution of the City Council. Service lines shall be extended only to the lot line of the residence to which service is to be provided. The city shall furnish meter and mounting fittings. The cost of meter installation shall be the obligation of the applicant for the residential hook-up. Commercial and industrial water hook-up applications shall be accompanied by a fee equal to the cost of the material and labor expended in extending service lines from any water main to the lot line of said commercial or industrial premises. If said commercial or industrial premise shall require a meter different from the standard residential meter used and supplied by the Municipal Water System of the City of Litchfield. The cost of acquisition of such meter is the obligation of said commercial or industrial applicant. All meters shall be maintained by the city.

(Ord. 83-6. Passed 1-9-84; Ord. 2003-03. 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; Res. 2019-07. Passed 5-21-19.)

**1042.05 LIABILITY OF OWNER, OCCUPANT AND USER OF SERVICE.**

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

(Ord. 83-6. Passed 1-9-84; Ord. 2003-03. Passed 4-14-03.)

**1042.06 DUTY OF TREASURER.**

It is hereby made the duty of the City Treasurer to render bills for water 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 water service is furnished.

(Ord. 83-6. Passed 1-9-84; Ord. 2003-03. Passed 4-14-03.)

**1042.07 DEPOSIT OF REVENUES.**

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

(Ord. 83-6. Passed 1-9-84.)

**1042.08 RECORDS; AUDIT OF BOOKS.**

The Treasurer shall establish a proper system of accounts and keep proper records, books and accounts in which complete and correct entries shall be made of all transactions relating to the water

system. 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 water system.

(Ord. 83-6. Passed 1-9-84.)

**1042.09 EFFECTIVE PERIOD OF RATES AND CHARGES.**

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 Litchfield City Council.

(Ord. 94-1. Passed 1-25-94.)

**1042.99 PENALTY.**

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