

WATER
SEWER
9-16-85

ORDINANCE NO. 1985-9-1

AN ORDINANCE TO AMEND ORDINANCE NO. 70 ENTITLED AN ORDINANCE TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF THE HILLSDALE COUNTY SANITARY SEWAGE DISPOSAL SYSTEM NO. 3 (VILLAGE OF CAMDEN) ON A PUBLIC UTILITY BASIS UNDER THE PROVISIONS OF ACT 9, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED AND "TO PROVIDE ADDITIONALLY FOR THE OPERATION AND MAINTENANCE OF THE HILLSDALE COUNTY WATER SUPPLY SYSTEM NO. 1 (VILLAGE OF CAMDEN) ON A PUBLIC UTILITY BASIS UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED.

THE VILLAGE OF CAMDEN HEREBY ORDAINS:

Section 1. Section 2 of Ordinance No. 70 is hereby amended to read as follows:

Whenever the words "the System" are referred to in this ordinance, they shall be understood to mean the complete Hillsdale County Sanitary Sewage Disposal System No. 3 (Village of Camden), including all sewers, pumps, lift stations, treatment facilities, and all other facilities used or useful in the collection, treatment and disposal of domestic, commercial or industrial wastes, including all appurtenances thereto and including all extensions and improvements thereto which may hereafter be acquired, and the complete Hillsdale County Water Supply System No. 1 (Village of Camden) including all elevated storage tanks, water mains, pumps, valves and all other pertinences and equipment related thereto, including all extensions and improvements thereto which may hereafter be acquired.

Whenever the words "revenues" and "net revenues" are used in this ordinance, they shall be understood to have the meaning as defined in Section 3, Page 94, Public Acts of Michigan, 1933, as amended.

Section 2. Section 4 of Ordinance No. 70 is hereby amended to read as follows:

Rates to be charged for service furnished by the System shall be as follows:

Sewer Use Charges

Sewer use charges to each single-family residential premises served by the System shall be in the flat amount of \$12.00 per month. Each premises other than a single-family residence shall pay a monthly

charge of \$12.00 multiplied by a factor representing a ratio of sewage use by such class of premises to normal single-family residence equivalents or ratios; provided, however, that the minimum monthly charge to any premises shall be \$12.00.

Sewer Tap Fees

A sewer tap fee of \$300.00 per residential equivalent unit shall be charged as a condition of connection to the sanitary sewer system effective as of January 1, 1986.

Water Use Charges

The charge for use of the Hillsdale Water System and the services provided by the system shall be \$8.00 per month per single-family residence. Users other than single-family residences shall pay such rates as may be derived by application of the schedule of single-family equivalent applicable to sewage use charges.

Water Connection Fees

A tap fee of \$300.00 per residential equivalent unit shall be charged for the privilege of connecting to the water supply system effective as of January 1, 1986.

Special Rates

For miscellaneous or special services for which a special rate shall be established, such rates shall be fixed by the Village Council.

Billing

Bills will be rendered bi-monthly commencing with October of 1985, with the billing for Village water and sewer service payable without penalty until the date thereon. Payments received after such date shall bear a penalty of ten per cent (10%) of the amount of the bill.

Enforcement

The charges for services which are under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, are a lien on all premises

served thereby, 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 collection thereof shall certify annually, on March 1st of each year, to the tax-assessing officer of the Village the facts 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 against such premises are collected and the lien thereof enforced.

In addition to the foregoing, the Village shall have the right to shut off sewer and/or water service to any premises for which charges for sewer and/or water service are more than two (2) months delinquent, and such service shall not be reestablished until all delinquent charges and penalties and a turn-off charge of \$25.00 shall have been paid. Further, such charges and penalties may be recovered by the Village by court action.

Section 3. Section 3 of Ordinance 70 is hereby amended to read as follows:

The operation, maintenance, alteration, repair and management of the System shall be under the supervision and control of the Village Council, subject to the terms of the contracts dated August 8, 1969, and August 20, 1985, between the County of Hillsdale and the Village of Camden. The Council may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the System, and may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the System.

Section 4. Section 9 of Ordinance 70 is hereby amended to read as follows:

The revenues of the System shall be set aside as collected and deposited in a separate depository account in Michigan Bank-Mid South at its Camden Branch or such other banking institution as the Village Council may from time to time designate, in an account to be designated WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM RECEIVING FUND (hereinafter for brevity referred to as the "Receiving Fund"), and said revenues so deposited shall be transferred from the Receiving Fund periodically in the manner and at the time hereinafter specified.

(A) OPERATION AND MAINTENANCE FUND

Out of the revenues in the Receiving Fund, there shall be first set aside quarterly into a 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.

(B) CONTRACT PAYMENT FUND

There shall next be established and maintained a depository account to be designed CONTRACT PAYMENT FUND, which shall be used solely for the payment of the Village's obligations to the County of Hillsdale pursuant to the aforesaid contract. There shall be deposited in such fund quarterly, after requirements of the Operation and Maintenance Fund have been met, such sums as shall be necessary to pay said contractual obligations when due. Should the revenues of the System prove insufficient for this purpose, such revenues may be supplemented by any other funds of the Village legally available for such purpose.

(C) REPLACEMENT FUND

There shall next be established and maintained a depository account designated REPLACEMENT FUND, which shall be used solely for the purpose of making major repairs and replacements to the System if needed. There shall be set aside into said fund, after provision has been made for the Operation and Maintenance Fund and the Contract Payment Fund, such revenues as the Village Council shall deem necessary for this purpose.

(D) IMPROVEMENT FUND

There shall next be established and maintained an Improvement Fund for the purpose of making improvements, extensions and enlargements to the System. There shall be deposited into said fund, after providing for the foregoing fund, such revenues as the Village Council shall determine.

(E) SURPLUS MONEYS

Moneys remaining in the Receiving Fund at the end of any operating year, after full satisfaction of the requirements of the foregoing funds, may, at the option of the Village Council, be transferred to the Improvement Fund or used in connection with any other project of the Village reasonably related to purposes of the System.

(F) BANK ACCOUNTS

All moneys belonging to any of the foregoing funds or accounts may be kept in one bank account, in which event the moneys shall be allocated on the books and records of the Village within this single bank account in the manner above set forth.

Section 5. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

Section 6. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 7. This ordinance shall be published once in full in the Hillsdale Daily News, a newspaper of general circulation within the boundaries of the Village and qualified under State law to publish legal notices, within fifteen (15) days after its adoption, and the same shall be recorded in the Ordinance Book of the Village and such recording authenticated by the signatures of the President and Village Clerk.

Section 8. This ordinance shall become effective immediately upon its adoption.


Village President


Village Clerk

Dated: September 16, 1985

C E R T I F I C A T I O N

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 1985-9-1 duly adopted by the Village Council of the Village of Camden, County of Hillsdale, Michigan, at a special meeting held on September 17, 1985, and that public notice of said meeting was given pursuant to Act No. 261, Public Acts of Michigan, 1968, including in the case of a special or rescheduled meeting notice by publication or posting at least twelve (12) hours prior to the time set for the meeting.

I further certify that the following Councilmen were present at said meeting: Oscar Knapp, Sue Knapp, Dickey, Porter, Warner and Kowitz, and that the following Councilman was absent: Collins.

I further certify that Councilman Dickey moved for adoption of said ordinance, and that said motion was supported by Councilman Warner.

I further certify that the following Councilmen voted for adoption of said ordinance: Oscar Knapp, Sue Knapp, Dickey, Porter, Warner and Kowitz, and that none of the Councilmen voted against adoption of said ordinance.

Daisy Kowitz
Village Clerk

Dated: September 16, 1985