

VILLAGE COUNCIL
VILLAGE OF NASHVILLE
ORDINANCE 2-24-2005-A

Council Member Bracy, supported by Council Member Coll, moved the adoption of the following ordinance:

AN ORDINANCE TO AMEND ORDINANCE NO. 72, ENTITLED "AN ORDINANCE ESTABLISHING RATES, CHARGES AND RULES FOR THE USE, INSTALLATION AND SERVICE OF THE WATER SUPPLY SYSTEM OF THE VILLAGE OF NASHVILLE, COUNTY OF BARRY, MICHIGAN" TO AMEND SECTION 1-A, ADD A NEW SECTION 1-F AND TO ADD A NEW SECTION 1.5, ENTITLED "METER USAGE"

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1. Amendment of Section 1, Ordinance No. 72. That Section 1, Ordinance No. 72 is amended to read in its entirety as follows:

SECTION 1. The following monthly rates, fees and charges for the use of and services provided by the Village's water supply system are hereby established:

A. Commodity Charge: \$2.47/1,000 gallons

BEGINNING IN 2003, THE COMMODITY CHARGE PROVIDED FOR HEREIN SHALL BE SHALL BE ADJUSTED ANNUALLY ON JANUARY 1, TO BE EFFECTIVE ON THE FEBRUARY BILL, TO REFLECT ANY INCREASES IN THE MICHIGAN CONSUMER PRICE INDEX (DETROIT ALL ITEMS INDEX FOR ALL URBAN CONSUMERS ON A 82-84 BASE - AS PUBLISHED BY THE US DEPARTMENT OF LABOR) FOR THE PRECEDING CALENDAR YEAR. IF ADDITIONAL INCREASES ARE NEEDED, THEY MUST BE PRESENTED IN A PUBLIC HEARING AND APPROVED BY THE VILLAGE COUNCIL.

B. Readiness-To-Serve (RTS) and Capital Improvement Fund Charges:

Size of Meter	Meter Equivalency	Proposed RTSr Monthly Charge	Proposed Capital Improvement Charge	Total Monthly RTS Charge
5/8" or 3/4"	1.0	\$13.50	\$4.00	\$17.50
1"	1.4	\$18.90	\$5.60	\$24.50
1-1/2"	1.8	\$24.30	\$7.20	\$31.50
2"	2.9	\$39.15	\$11.60	\$50.75
3"	11.0	\$148.50	\$44.00	\$192.50
4"	14.0	\$189.00	\$56.00	\$245.00
6"	21.0	\$283.50	\$84.00	\$367.50
8"	29.0	\$391.50	\$116.00	\$507.50

C. Hydrant Rental: \$125.00/ per hydrant/per year

D. Turn Off/On Charges: A charge of \$15.00 shall be imposed by the Village in response to a request to turn on or off water services; provided, however, that if such services are provided other than during normal business hours of the Village in response to a request, the charge shall be time and materials multiplied by 1.10.

E. Special Rates: Water supplied from a Village hydrant shall be charged at the normal commodity charge for water and sanitary sewer service multiplied by 2. Use of a Village hydrant to draw water shall only be permitted with the prior written approval of the Village and shall be subject to any terms or conditions imposed with respect to the approval. Any violation of this subsection shall be a misdemeanor punishable by a fine of up to \$500, 90 days in jail and the reasonable costs of prosecution.

F. Multifamily Complex Units: Ready-To-Serve and Capital Improvement Fund Charges for Multifamily Complex Units (apartment buildings) are not based on the meter size. Instead these charges are based on a $\frac{3}{4}$ inch meter times the number of units in the complex.

SECTION 2. Addition of Section 1.5, Ordinance No. 72. That Section 1.5 shall be added to Ordinance No. 72, as amended, which new Section 1.5, shall read in its entirety as follows:

Section 1.5 Water Meters

- A. Required; exception. All service connections shall be metered, except hydrants on Village streets or Village property.
- B. Supply and ownership; connection charges. All meters will be supplied and owned by the Village. The property owner or applicant shall pay any and all charges in connection with the installation of meters in such amount as determined by the Village.
- C. Control; interference. Water meters shall be subject to the control of the Village or its authorized employees at all times, and no person shall break the seal of a meter, or in any way interfere with the operation of a water meter, except under the direct supervision of a Village employee.
- D. Protection from injury; liability for loss or damage. As a condition of service, the owner of any premises served shall be responsible to take all proper precautions to protect the meter from injury, frost, damage from hot water or steam, heat or any damage whatsoever. The owner of the premises served will be held liable for all loss or damage to the Village due to the failure to properly care for and protect each meter. The owner of the premises served will be held liable for any costs or expenses incurred by the Village in repairing or replacing meters which were injured due to the owner's failure to protect the meter from injury, frost, damage from hot water or steam, heat or any other damage.

SECTION 3. Effective Date. This Ordinance shall be published in accordance with state law and shall become effective twenty (20) days after its adoption or upon its publication, whichever occurs later.

PASSED and adopted by the Village of Nashville, Michigan on February 24, 2005.

YEAS: Bracy, Kenyon, Coll, Seaton, Dunham

NAYS: none

ABSENT: Knoll, one open seat

Ordinance No. 2-24-2005-A adopted.

Frank Dunham, President

Cathy Lentz, Village Clerk

I, Cathy Lentz, the Clerk for the Village of Nashville, Barry County, Michigan, hereby certify that the forgoing is a true and accurate copy of an ordinance adopted by the village Council of the Village of Nashville at a regular meeting held on February 24, 2005.

Cathy Lentz, Village Clerk

Adopted: 2-22-2005

Published: 3-8-2005

Effective: 3-28-2005