

ORDINANCE #2016-01

**PART 10, STREETS, UTILITIES AND PUBLIC SERVICES CODE
CHAPTER 1044 WATER RATES AND CHARGES**

**AN ORDINANCE TO AMEND
CHAPTER 1044.10, NONPAYMENT; REMEDIES; PENALTY.**

And

CHAPTER 1044.11, DEPOSIT FOR RECONNECTION.

THE CITY OF CASEVILLE ORDAINS the following sections of Chapter 1044 shall be amended to read:

Sec. 1044.10 NONPAYMENT; REMEDIES; PENALTY.

(a) The City may discontinue water service from the premises against which the lien provided for in Section 1044.09 has accrued whenever any person fails to pay the rates, assessments, charges or rentals herein referred to, or may institute a suit for the collection of the same in any court of competent jurisdiction, but no attempt to collect such water rates, assessments, charges or rentals by any process shall in any way invalidate or waive the lien upon the premises.

(b) The procedure for the discontinuance of water service and penalty for delinquent payments is hereby established as follows, Sections (2), (3) or (4) may be delayed by up to 5 days due to weekends, holidays or staffing issues:

(1) Quarterly bills shall be issued on January 1, April 1, July 1 and October 1, each allowing twenty-five days for payment.

(2) On the twenty-sixth day following the issuance of a quarterly bill, a penalty of 1.5% shall be added to the outstanding original amount owed. Notice shall be sent to the customer by first class mail, giving said customer notice to pay the delinquent charges, including interest and penalty.

On the twenty-sixth day of the second month of the calendar billing cycle, an additional penalty of 1.5% shall be added to the original outstanding amount owed.

(3) On the seventy-first day following the issuance of a quarterly bill, a penalty of 1.5% shall be added to the outstanding original amount owed plus a shut-off fee, as set by City Council. A shut-off notice shall be sent to the current billing customer by certified mail, return receipt requested, and/or the notice will be hand-delivered to the occupant of the structure, giving said customer fifteen days in which to pay the delinquent charges, including interest and penalty. Shut-off notices will be sent based on the criteria established by City Council. The notice shall state the date that water is scheduled to be shut off for nonpayment. If not hand delivered, the notice shall also be tagged at the front entrance of the premises, thereby advising said

may be removed by the City after a minimum of seven days due to safety concerns.
(Occupancy status)

(4) Shut-off of the delinquent water service account shall occur on the eighty-sixth day following the issuance of a quarterly bill based on criteria established by City Council for shut-off. To avoid shut-off the account must be paid below the amount set by City Council by 12:00 noon on the shut-off day.

Sec. 1044.11 DEPOSIT FOR RECONNECTION.

When an application for water service is made by a lessee or land owner whose water service was discontinued by the City because such lessee or landowner failed to pay for previous water service, the following procedure shall apply:


- (a) Payment of any delinquent amounts shall be made in full prior to reconnection. This includes full payment of the next quarter's base utility bill and penalties, if this bill is past the 25th day of issuance.
- (b) A deposit, of one quarter's base utility bill for this account, shall be required prior to reconnection, for second offense and thereafter.
- (c) The turn-on fee for reconnection of a delinquent account shall be as follows:
 - (1) The fee for reconnection within 30 days of shut off shall be set by the City Council.
 - (2) The charge for reconnection after thirty days of shut off shall be three hundred dollars (\$300.00).
- (d) Deposits made as a result of a disconnection for nonpayment shall be returned to the lessee or landowner after four continuous quarterly payments are made without being delinquent. If during this timeframe the customer is past due on any utility bill, the deposit will be applied to their account and not returned.
- (e) No interest shall be earned on disconnection deposits returned to the lessee or landowner.

Effective Date. This ordinance shall become effective 20 days after publication of a synopsis of the ordinance in a newspaper of general circulation within the City of Caseville.

First Reading: March 14, 2016

Second Reading: April 11, 2016


Jamie D. Learman, Clerk


Patricia D. Des Jardins, Mayor

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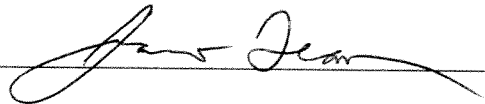
Ordinance # 2016-01 was introduced by Council Member Debra Estep, second by Council Member Darin Sprague.

The undersigned City Clerk of the City of Caseville does hereby certify that the City Council at its Regular Business Meeting addressed the foregoing Ordinance, CHAPTER 1044, Nonpayment Remedies; Penalty and Deposit Reconnection and is subscribed by the Mayor and Clerk of the City held the **11TH day of APRIL 2015**, upon the following roll call vote.

Ayes: 6 (Michelle Beltz, Clint Braun, Debra Estep, Jerald Ignash, Darin Sprague, Todd Talaski)

Nays: 0 (none)

I further certify that a synopsis of the foregoing ordinance was published in the Huron Daily Tribune, Bad Axe, Michigan, on April 15, 2016 and that the original thereof may be found within the permanent Council records of the City of Caseville.

/s/ 
Jamie D. Learman, City Clerk