

## VILLAGE OF DRYDEN

### WATER AND SEWER RATE ORDINANCE

Ordinance No. 32.7

An ordinance providing for the setting of rates, charges, deposit amounts and collection procedures for the water and sewer systems of the Village of Dryden; and to repeal prior inconsistent ordinances.

#### THE VILLAGE OF DRYDEN ORDAINS:

Section 1. Schedule of Charges and Fees. Charges, fees, rates, deposit amounts and user fees for water, water services, sewer services, system improvements, and miscellaneous services such as water service turn on or turn off, shall be established by motion of the Village Council. If the users of water provided by the village are any person or persons other than the property owner (the person whose name appears on the latest tax assessment roll) a deposit must be paid prior to service being provided to said house, residential unit or other structure.

Section 2. Water and Sewer Connection/Tap In Fees. Fees in an amount established by motion of the Village Council shall be paid to the Village for the right to connect any dwelling units or other structures to the water or sewer systems. All water and sewer connection fees shall be paid in full prior to the issuance of a building permit.

Section 3. Delinquent Fee Collections. Pursuant to Michigan Statute and this ordinance, charges for water or sewer service are made a lien on premises served. Whenever such charges against any piece of property shall be delinquent for two months or more the Village official in charge of collection shall certify, on or before June 1<sup>st</sup> of each year, to the tax assessing officer, the fact of such delinquency. Such charges shall be entered by the assessor upon the next tax roll as a charge against such premises and shall be collected and the lien shall be enforced in the same manner as general Village taxes.

Section 4. Water or Sewer Service Shut Off. In addition to other remedies, the Village shall have the right to shut off the supply of water or sewer service to any premises for nonpayment. If any fees or charges for service are not paid within twenty one (21) days after the due date thereof, then services to such premises may be discontinued. Services so discontinued shall not be restored until all sums due and owing are paid, plus a utility turn on charge. If a property owner of rental property files an Affidavit (see MCL123.165), said property owner may avoid a tenant's (any person, business or organization that rents or leases a property, dwelling unit or structure) subsequent unpaid water/sewer bill from becoming a lien on said property. Money due prior to the date of said Affidavit shall remain subject to lien. Said Affidavit must be filed with the Village of Dryden. Said Affidavit must include the following;

A. The written lease with tenant; said lease must specifically provide that the tenant, not the owner of the property, is directly responsible for all water and sewer bills associated with the unit under lease to that tenant.

B. The Affidavit must be filled in completely, accurately, signed and notarized. If it is not correctly and completely filled out, signed and notarized, any benefits allowed pursuant to MCL 123.165 will not be available to the property owner.

C. If there is more than one property owner or tenant, said Affidavit must provide all applicable names. All required data must provide for said Affidavit to be valid and enforceable.

D. The Affidavit must contain the exact date upon which the tenant's written lease terminates. If the lease is extended, the extension must be in writing and the new termination date provided to the Village with an Affidavit containing the new information.

A property owner may obtain information from the Village with respect to the status of any tenant unpaid water bill if said tenant signs a "Release of Information" and return said form to the Village.

Section 5. Repeal. The former Dryden Village Ordinance No. 32.6 adopted May 28, 2008, is hereby repealed in its entirety.

The undersigned Clerk of the Village of Dryden hereby certifies that this Ordinance was duly adopted by the Village Council on the 2<sup>nd</sup> day of June, 2008 and was published in the Tri-City Times on the \_\_\_\_\_ day of \_\_\_\_\_, 2008. This Ordinance shall become effective 20 days after the date of adoption.

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LeAnn Brewer, Clerk

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Patrick Betcher, President