

Chapter 34
UTILITY RATES
METERED WATER AND SEWER RATES

34.01.00 Definitions

Unless the context indicates otherwise, the meanings of terms used in this Chapter shall be as follows:

34.01.01 “Premises” shall mean each lot or parcel of land, building or premises having any connection to the Water Supply and Sewage Disposal System of the City, herein call the “System”

34.01.02 “Person” shall mean any individual, firm association, public or private corporation or public agency or instrumentality.

34.01.03 “Department” shall mean the DPW.

34.01.04 “Superintendent” shall mean the Superintendent of the Department.

34.02.00 Charges and Rates

34.02.01 Establishment of Rate

The rates to be charged for water and sewage disposal service furnished by the System shall be as prescribed by the City Council.

34.02.02 Water Rates

Except as herein otherwise provided, water to be furnished by the System to each premises shall be measured by a meter owned, installed and controlled by the City. Charges for water services to each premises connected with the City Water Supply System shall be as established by City Council action.

34.02.03 Service Fees and Rates

Charges for water and sewer services to each premises and sewer cleaning (ie. “blow out”) shall be set by the Council in the Annual Fee Resolution (See Appendix E and Section 35.130). Sewer Service Rates.

A) If the character or quantity of sewage from any manufacturing or industrial plan, or from any other building or premises, is such that it imposes an unreasonable burden upon the City’s Sewage System, in the discretion of the City Council or upon any other sewage system through which it might flow, then an additional charge shall be made over and above the regular rates established; or, in the alternative, such owner may be required to separately and satisfactorily treat such sewage before being emptied into any public drain or sewer, or the right to empty said sewage may be denied, if necessary, for the protection of the System, public health or safety.

B) All sewer use rates established hereunder shall be consistent with Appendix C of the Sandusky Code of Ordinances “SEWER USE”.

34.03.00 Billing

34.03.01 No Free Service

No free service shall be furnished by the System to the City or to any person, firm or corporation, public or private, or to any public agency or instrumentality.

34.03.02 Quarterly Billing

Charges for services furnished by the System shall be billed and collected quarterly (3 months) or more often as shall be determined by the Council.

34.03.03 Due Date and Penalty

Such charges shall be due 15 days after billing. Any charges or portions thereof unpaid when due shall incur \$10.00 service charge.

34.04.00 Collection

34.04.01 Discontinuance of Water or Sewer Service

The Department is hereby authorized to enforce the payment of charges for water service to any premises by discontinuing the water service to such premises and the payment of charges for sewage disposal service to any premises may be enforced by discontinuing either the water service or the sewage disposal service to such premises, or both, and an action of assumption may be instituted by the City against the customer.

34.04.02 Notice of Discontinuance

No water or sewer termination shall be effected by the Department for nonpayment of service or use charges unless the occupant is given at least 30 days notice of the date of termination.

34.04.03 Charges on Reconnection

Where the water service to any premises is turned off to enforce the payment of water service charges or sewage disposal service charges, the water service shall not be recommenced until all delinquent charges have been paid and a deposit as in the case of tenants is made, and there is paid such shut-off charges and turn-on charges as shall be established by City Council action.

34.04.04 Water and Sewer Charges as Lien on Property

The charges for water service and sewage disposal service, which, under the provisions of Act 94, Public Acts of 1933 of the State of Michigan, as amended, are made a lien on the premises to which furnished, are hereby recognized to constitute such lien.

34.04.05 Certification of Lien

The City Clerk shall, annually, on September 30, certify all unpaid charges for such services furnished to any premises through the 30th day of June preceding, have remained unpaid for a period of (3) months or more, to the Treasurer who shall place the same on the next tax roll of the City. Such charges so assessed shall be collected in the same manner as general City taxes.

34.04.06 Deposits, Tenant Liability

A) In cases where the City is properly notified in accordance with said Act 94 of 1933, that a tenant is responsible for water or sewage disposal service charges, no such service shall be commended or continued to such premises until there has been deposited with the Department, a sum sufficient to cover two times the average quarterly bill for such premises as estimated by the City.

B) In any other case where, in the discretion of the City Treasurer, the collection of charges for water or sewage disposal service may be difficult or uncertain, the City may require a similar deposit.

C) Such deposits may be applied against any delinquent water or sewage disposal service charges of the depositor, and the application thereof shall not affect the right of the Department to turn off the water service and/or sewer service, to any premises for any delinquency thereby satisfied.

D) No such deposit shall bear interest and such deposit, or any remaining balance thereof, shall be returned to the customer making the same when he shall discontinue receiving water and sewage disposal service or, except as to tenants as to whom notice of responsibility for such charges has been filed with the City, then any eight (8) successive quarterly bills shall have been paid by said customer with no delinquency.

34.05.00 Water Meter Installation Dates

See former 35.480

34.06.00 Enforcement

34.06.01 Remedies- Disconnect and/or civil or criminal action

In enforcement of this article, the City Water Department is authorized to discontinue water and sewer service to the property in violation after giving the owner and occupant 30 days written notice of the specific violation. Concurrently or alternatively, the Department may enforce the provisions of this Article by equitable action, including demand for actual court costs and all fees, in Circuit Court or criminal procedure in District Court.

34.07.00 Penalties

Any person, firm or corporation or anyone acting on their behalf who shall violate any of the provisions of this article shall be responsible for a Grade B civil infraction.