

RULES AND REGULATIONS
FOR
SALE OF WATER TO PRIVATE CONSUMERS
AS ADOPTED BY THE
BOARD OF WATER COMMISSIONERS OF THE
SAGINAW-MIDLAND WATER SUPPLY SYSTEM
ON APRIL 5, 1949

A. DEFINITIONS

1. The term "Board" shall mean the Board of Water Commissioners of the Saginaw-Midland Water Supply System.
2. The term "Water Connection" shall mean that part of the consumer's water system between the Board's water supply main and the highway right of way line and or the Board's pipe line right of way line.
3. The term "Water Extension" shall mean that part of the consumer's water system extending from the end of the water connection into the premises served.
4. The term "Manager" shall mean the manager appointed by the Board.
5. The term "Organized groups of Consumers" shall mean any group consisting of City, Village, or Township officers or any two or more consumers, any one of whom will contract with the Board to hold himself responsible for the payment of all water measured through the meter on the connection serving such group of consumers.

B. WATER CONNECTIONS

- ✓ 1. Connections will be installed for individual consumers or organized groups of consumers at prices to be determined by the Board. The price of a connection shall include the cost of the branch service connection at the supply main, the corporation stop or valve, the required copper, lead, brass or cast iron pipe and fittings, the curb stop, service box, meter, meter pit with accessories, highway surface and underground replacements, and the equipment, labor and overhead cost of installing the above items.
2. No property shall be served unless the person so served, or his authorized representative, has first made written application for a water connection to the Board and has had such application approved by the Manager of the Board. A deposit of \$6.00 will be required as a guarantee for prompt payment of bills. No interest will be paid on money so deposited. Refunds will be made when all bills are paid and the service to the customer is discontinued.
- ✓ 3. Water connections shall be installed only by employees authorized by the Board and upon prepayment of the estimated cost of the connection.

C. WATER EXTENSION

- ✓ 1. There shall be no branches or connections off the pipe connecting the supply main with the meter.
2. In the event that the consumer has a suitable place for a meter on his premises, the pipe extension to the meter shall be constructed of the same materials as the connections, and shall be laid at a sufficient depth to prevent freezing.

3. The extension pipe, if 1-1/2" or larger, shall be provided with a valve close to the meter. This valve shall be round way, and shall be either of the gate type with operating wheel or of the inverted ground-key type with tee handle or lever.
4. In extension installations where the building does not have a basement, there shall be, in addition to the valve at the meter, a round-way inverted ground-key stop and waste valve with box and operating rod in the ground below the frost line.

✓ D. INSPECTION

1. No water main, connection or extension shall be covered until inspected and approved by the manager, who shall be notified when such construction is ready for inspection.

✓ E. RIGHT TO ENTER PRIVATE PROPERTY

1. No person shall refuse to admit to premises owned or occupied by him or hinder any authorized agent of the Board from entering said premises for the purpose of reading a water meter or inspecting a water meter or any piping in connection with the consumer's water system.

F. WATER METERS

- ✓ 1. All premises using water shall be metered. Meters will be furnished by the Board and shall remain the property of and under the control of the Board.
- ✓ 2. The customer shall provide a suitable place for the installation of a meter or if in the judgment of the Manager, a meter pit should be constructed, such meter pit shall be constructed in accordance with plans and specifications approved by the Board.
- ✓ 3. No person other than an authorized employee of the Board shall break or injure the seal on, or change the location of, alter or interfere in any way with any meter.
- ✓ 4. Whenever a meter is injured because of any act or negligence on the part of the owner or occupant of the premises where such meter is installed, the expense of the Board caused thereby shall be charged to and collected from such owner or occupant.
- ✓ 5. In the event that a meter shall fail to register properly, the manager is empowered to estimate the quantity of water used on the basis of former consumption, and bill accordingly.
- ✓ 6. Owners or persons in charge of premises housing meters shall be responsible for damages to a meter by hot water, frost or other causes under their control.

G. WATER RATES

The following net rate for the sale of water shall apply to services supplied with water from the Joint Line:

20 cents per M gallons for the first 25 M gallons used per quarter,
15 cents per M gallons for the next 50 M gallons used per quarter,
10 cents per M gallons for all over 75 M gallons used per quarter.

In addition to the above rate for use of water, there shall be a service charge per quarter on each metered service as follows:

5/8"	metered service	\$ 2.50
3/4"	" "	3.00
1"	" "	4.00
1-1/2"	" "	7.50
2"	" "	12.00
3"	" "	21.00
4"	" "	33.00
6"	" "	66.00
8"	" "	120.00

Gross rates shall be 10% greater than the above schedule of rates and shall be charged for water service paid after the due date shown on bills. The minimum net quarterly bill shall be \$6.00 and shall include the first 10 M gallons used per quarter.

H. BILLING

1. Water service charges may be billed monthly or quarterly as determined by the Manager.
2. The Board will assume no responsibility for excessive water bills caused by a leak in the water service beyond the meter.
- ✓ 3. In the event one water connection serves two or more customers, the meter shall be in the name of the owner or organization paying for the connection, who shall be responsible for all water service charges.
4. The minimum quarterly charge of \$6.00 for water service shall apply to each metered service.

I. The Manager is hereby empowered to discontinue water service for non-payment of any water rates or charges due the Board or for failure to comply with the rules and regulations adopted by the Board.

7 J. No person, other than an authorized employee of the Board shall turn on or off any water service, except that a licensed plumber may turn on a water service for testing an extension system after which the plumber shall immediately turn the water service off.

Harry E. Converse
ATTORNEY AND COUNSELLOR AT LAW
Standish, Michigan
April 24, 1953

Mr Harry Jennings
City Attorney
Au Gres, Michigan

Dear Sir

You have requested an opinion from me as to Whether or not the City of Au Gres has power to spread delinquent water rates on the tax roll against the property of the person charged with said rates, and if so, what procedure should be followed by the city authorities? You have also sent me a copy of Ordinance No. 4 which deals with the construction of the city water works, the issue of bonds, collection of rates, etc.

Section 21 of Act 94 of the Public Acts of 1933 reads, in part as follows, to-wit:

"Charges for water service furnished to any premises shall be a lien thereon, and any such charges delinquent for 6 months or more shall be certified annually to the proper tax assessing officer or agency who shall enter the same upon the next tax roll against the premises to which such services shall have been rendered, and said charges shall be collected and said lien shall be enforced in the same manner as provided for the collection of taxes assessed upon such roll and the enforcement of the lien therefor. The time manner of certification and other details in respect to the collection of such charges and the enforcement of such lien shall be prescribed by ordinance adopted by the governing body of the public corporation: . . ."

Section 8 of the Ordinance No. 4 referred to above reads, in part as follows: to-wit:

"The charges for water and services which are under the provisions of Section 21 of Act 94 of the Public Acts of Michigan, 1933, as amended, made a lien on all premises served thereby, unless notice is given that a tenant is responsible, are hereby recognized to constitute such lien and whenever any such charge against any piece of property shall be delinquent for six months, the City officials in charge of the collection thereof shall certify to the tax-assessing officer of the City, the fact of such delinquency, whereupon such charge shall be collected and the lien thereof enforced in the same manner as general city taxes against such premises are collected, and the lien thereof enforced: Provided, However, where notice is given that a tenant is responsible for such charges and service as provided in said Section 21 no further service shall be rendered any piece of property until a cash deposit of not less than Five (\$5.00) Dollars shall have been made as security

Harry E. Converse
ATTORNEY AND COUNSELLOR AT LAW
Standish, Michigan

- 2 -

for payment of such charges and service."

Section 12 of Chapter XXX of the general law pertaining to Cities of the Fourth Class provides that the City Council shall pass an ordinance in which the amounts to be raised by assessment of taxes are stated and ordered spread on the tax roll.

Section 10 of Chapter XXXI of the same act provides that the city clerk shall certify to the supervisor of each ward for assessment therein, "all amounts which the council require to be assessed or re-assessed" and Section 11 of the same chapter requires the supervisor to levy the same on the tax-roll.

It is my understanding that the City of Au Gres levys two taxes each year so that the levy for water rates must be made during the month of May each year by the council to be spread on the July roll by the supervisor.

It is my opinion that the matter should be handled by a formal certificate directed to the council by the officer in charge of making the collections specifying in detail the amount which has been delinquent for 6 months or more and a description of the property which received the service. This certificate should definitely state that the water was served the particular premises and that it was due at a specified time (so that it will be apparent that it has been delinquent for the required time) and that the same is unpaid. This certificate, of course, should be signed and dated by the person in charge of making collections. In the annual appropriation ordinance the council should order the several sums spread against the several parcels which are delinquent. The clerk will then certify these assessments along with the others made by the ordinance to the supervisor for assessment.

Inasmuch as the statute makes the charges for water a lien on the "premises to which such services shall have been rendered". You should be sure that books of the city in which the charges are entered contain the correct legal description of the premises served. If this is not done, I do not see how it can be said that there is any evidence that the property was served.

I am returning herewith the copy of the ordinance you sent me.

Very truly yours


Harry E. Converse