

CHAPTER 1044
USER FEES & CHARGES

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CROSS REFERENCES

- Municipal Owned Utilities – see CHTR Ch. 11
 - Public Utility Franchises – see CHTR Ch 12
 - Sewers and sewer systems in home rule cities – see
M.C.L.A. §§117.4b, 117.4e, 117.4f, 117.35
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1044.01 Purpose

It is the purpose of this chapter to provide for the payment of fees from Dischargers to the POTW's wastewater disposal system, to compensate the POTW for the cost of administration of the pretreatment program established herein.

1044.02 General

- (1) User charges shall be established by resolution of the City of Ewart. User charges shall be based on the principle of imposing the cost of sewage treatment directly upon the sources of the sewage. This is to be accomplished by keeping accurate records and reports of sewage works loadings, treatment results and costs.
- (2) Users shall be grouped into classes based on the type of sewage discharged to the public sewer.
- (3) The cost of sewage works will be established for each class periodically and will be borne by the users in that class.

- (4) The transportation and treatment costs for sewage originating outside of the City of Evert will be borne by the users in that area. Individual agreements will be established to provide sufficient income to cover the actual costs of the service,
- (5) Where surveillance of sewage discharges is required to determine the quantity and strength of sewage flows to insure compliance with this regulation, the user shall be billed for the actual costs of this surveillance incurred by the City.

1044.03 Sanitary Sewage Work Rate Structure

- (1) Property tax revenues maybe used for supporting sewage works costs only for the construction of new collector sewers and where specifically obligated by the citizens of the City of Evert.
- (2) To determine the sanitary sewage flow from any establishment, the Superintendent may use one of the following methods:
 - a) The amount of water supplied to the premises by the city or a private water supply as shown upon the water meter if the premises are metered, or
 - b) If the premises are supplied with river water or water from private wells, the amount of water supplied from such sources as estimated by the Superintendent from the water, gas or electric supply, or from averages of similar users, or
 - c) If such premises are used for an industrial or commercial purpose of such a nature that the water supplied to the premises cannot be entirely discharged into the sewer system, the estimate of the amount of sewage discharged into the sewer system made by the Superintendent from the water, gas or electric supply, or
 - d) The number of gallons of sewage discharged into the sewer system as determined by the measurements and samples taken

at a monitoring station installed by the owner of the property served by the sewer system at his own expense.

1044.04 Water Rates

The rates shall be established by the City Council by resolution and shall be sufficient to provide for the payment of all expenses for the operation and maintenance of the water system as may be necessary to preserve the same in good repair and working order; to provide for the payment of the interest upon and the principal of all bonds or loans payable therefrom, as and when the same shall become due and payable, and for the creation of a reserve as required and necessary to build up a fund for replacement of the water system or any portion thereof. Rates shall be fixed and revised from time to time by the City Council so as to produce the foregoing amounts and the City shall maintain at all times such rates for services furnished by the water system as shall be sufficient to provide for the foregoing.

1044.05 Charges and Fees

The City shall adopt other charges and fees administering the POTW by resolution.

These damages and fees may include:

- a) Fees for monitoring, inspections, and surveillance procedures*
- b) Fees for permit applications (permits only)
- c) Fees for filing appeals
- d) Fees for reviewing accidental discharge procedures and construction
- e) Fees for review of plans for additions or connections to municipal systems
- f) Fees for review of pretreatment plans, specifications, and construction
- g) Fees for special studies or continuous studies to evaluate pretreatment systems

*This fee can be changed pursuant to a specification in a permit or contract for administrative enforcement. It can optionally be included as an element of the Sewer Charge System.

1044.06 Enforcement

The charges for water and sewage disposal service which are, under the provisions of Section 21 of Act 94, Public Acts of Michigan, 1933, as amended, made a lien on all premises served thereby, unless notice is given that a tenant is responsible, which notice shall include a true copy of the lease of the affected property, and hereby recognized to constitute such lien, and whenever any such charge against any piece of property shall be delinquent for six (6) months, the City Official or officials in charge of the collection thereof shall certify annually on April first of each year to the tax assessing officer of the City the fact of such delinquency, where upon such charge shall be by such tax assessing officer entered upon the next tax roll as a charge against said premises and shall be collected and the lien thereon enforced; provided however, where notice is given that a tenant is responsible for such charges and service, as provided by Section 21 of Act 94, Public Acts of Michigan, 1933, no further service shall be rendered to such premises until a cash deposit of not less than Seventy-Five Dollars (\$75.00) shall have been made as security for payment of such charge and service. In addition to other remedies provided, the City shall have the right to shut off and discontinue the supply of water to any premises for the non-payment of the rates when due. If such charges are not paid within thirty (30) days after the due date thereof the water shall not be restored until the sums then due and owing shall be paid plus a turn-on charge of Fifteen Dollars (\$15.00).