



**STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE
RESOLUTION NO. 2024-06-03.003
ENACTED: JUNE 03,2024**

**RESOLUTION TO AMEND THE VILLAGE OF STOCKBRIDGE CODE OF ORDINANCES, APPENDIX A
– RATES AND CHARGES, SECTION 1 –
WATER SYSTEM CHARGES AND RATES**

The Village of Stockbridge resolves that the Village of Stockbridge Code of Ordinances, Appendix A – Rates and Charges, Section 1 – Water System Charges and Rates is hereby amended in its entirety to read as follows:

SECTION 1. Water system charges and rates.

1.1 Rates and charges for the services of the water system shall be fixed in an amount sufficient to pay the costs of operating and maintaining the system and to leave an amount of revenues adequate for the principal and interest, debt service, reserve, replacement and improvement requirements and all other requirements provided herein, and otherwise comply with the covenants. The rates and charges for all services and facilities rendered by the system shall be reasonable and just taking into consideration the costs and value of said system and the cost of maintaining, repairing and operating the same and the amounts necessary for the retirement of all bonds and accruing interest on the bonds and such amounts as may be necessary to meet the requirements of the preceding section. Charges for all services furnished to any premise shall be a lien as provided in Section 21, Act 94, Public Acts of Michigan, 1933, as amended. The charges for water service which are, under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933 as amended made a lien on all premises serviced thereby, unless notice is given that the tenant is responsible, and recognized to constitute such lien, and whenever such charge against any piece of property shall be delinquent for six months, the official that is in charge of the collection thereof, shall certify annually on May 1 of each year, to the appropriate tax assessing officer, the fact of such delinquency, whereupon such delinquent charge shall be entered onto the next tax roll as a charge against such premises, and a lien thereof enforced. Provided, however, when notice is given that a tenant is responsible for such charge and such service as provided by said Section 21, no further service shall be rendered to such premises until a cash deposit of not less than one full quarter of service shall have been made as security for payment of such charges and services.

1.2 No free service shall be furnished by the system to any individual, firm or corporation, whether public or private, or to any agency or instrumentality.

1.3 Charges for using the Village water supply system are as follows:

Access rates: New construction water meters are to be purchased by the customer from the Village and installed by the customer at the customer's expense. For new construction, the price per meter shall be 110% of the actual cost of purchase by the Village and the meter shall not be released to the purchaser by the Village until payment is received by the Village Clerk.

Meter replacement:

- A. For meters that have been tampered with, damaged or for any reason other than the normal use shall be charged 110% of the cost of the meter including any applicable charges incurred at the time of the replacement.
- B. The Village Department of Public Works (DPW) shall inspect the water meter's installation to the potable water supply. The potable water system shall not begin supplying water through a meter until the Village has granted approval.
- C. If the Village is not notified within one week that the water meter has been installed, a \$500 penalty fee will be levied.
- D. If a Village approved water meter is not used to meter water, a penalty fee of \$500 will be levied.
- E. Turn on/off water service:
 - 1. Owner requested shut off of water service and then restoration of water service by the Village DPW can be requested.
 - 2. On holidays or after DPW scheduled working hours, the owner requested shut off of water and then restoration of water service will be billed to the property owner with the actual cost of employee overtime pay included.

1.4 Garden Meters.

- A. Garden water meters will no longer be sold by the Village. Garden meters that have been previously purchased from the Village that are able to be temporarily connected to their outside faucets or other location located upstream from primary water meter can be used to receive a credit toward sewer usage.
- B. In order for the user to obtain a credit for water used that did not enter the Village's sanitary sewer system, the user must present the garden water meter at the beginning of the irrigation season to record the starting read. The garden water meter must also be presented to the Village Clerk or Treasurer at the end of the irrigation season to obtain a credit on their utility bill. The Treasurer or a DPW employee will read the meter usage and record the reading.

1.5 Irrigation Meters

- A. Irrigations Meters that are hard plumbed into the system can be purchased through the Village office for the cost of the meter and remote reader device plus a 10% fee of the current market cost.
- B. Irrigation meters must be installed by a licensed plumber with a proper plumbing permit and inspected not only by a plumbing inspector but also by a Village DPW employee.
- C. Meters installed without inspection by the DPW will be subject to a \$500 fine.
- D. Meters purchased outside of the Village office will not be valid and must be replaced by a Village approved meter.
- E. Meter reads will be taken from irrigation meters at the same time as regular water meters are read.
- F. The irrigation water meter reading will be entered into the billing system and sewer rates will not be charged for those gallons metered.

1.6. Connection rates:

- A. \$5,000 per residential equivalent (REU) will be charged for connections to the potable water system for potable water service.

- B. \$0.00 additional per REU will be charged for connections to the potable water system for fire suppression system service.
- C. Inspection fees of \$25.00 will be charged for each inspection and all inspections will be made by the DPW.
- D. A deposit equal to the capital connection fee to making any connection is required before a connection shall commence.

1.7 Usage rates:

- A. Metered customers:
 - 1. Reserved.
 - 2. \$5.00 per 1,000 gallons.
 - 3. Swimming pool fills for Village residents: Same charge per 1,000 gallons or fraction thereof as set forth above.
 - 4. Ready to Serve (RTS) fee per quarter for system operation and maintenance for metered user shall be determined as follows:
 - Water RTS 5/8": \$64.07
 - Water RTS 3/4": \$64.07
 - Water RTS 1": \$101.90
 - Water RTS 1.5": \$203. 21
 - Water RTS 2": \$325.25
 - Water RTS 3": \$651.11
 - Water RTS 4": \$1,017.25
 - Water RTS 6": \$2,033.87

Note: Vacant property shall not pay a ready to serve (RTS) fee.

- 5. A quarterly \$5.00 fee to finance the Village cost for routine replacement of water meters.
- 6. There shall be an additional quarterly fire line fee if the user's building or complex is accessing the potable water system to service a fire suppression system. Fire suppression systems shall be defined as either private fire hydrants or interior fire suppression system. The additional fee per quarter for fire suppression shall be:

- Additional water RTS 2": \$8.00 per quarter
- Additional water RTS 4": \$15.00 per quarter
- Additional water RTS 6": \$35.00 per quarter
- Additional water RTS 8": \$60.00 per quarter

Note: For any new line request greater than 8" to be installed with a fire suppression system, the Village will hold a meeting to determine and adopt an appropriate rate at that time.

- B. Customer aged 65 or older:

All customers 65 years old or older, the commodity charge is amended to be \$4.50 per 1,000 gallons of water usage only on their primary residence. Senior citizens must declare their eligibility at the Village office prior to any quarterly billing. This discount does not apply to any commercial account.

C. Sale of water from fire hydrants:

The purchase of water from a fire hydrant, for non-fire department use, shall be billed to the purchaser at the rate of \$100.00 per connection (per truck load) not to exceed 10,000 gallons. In addition, the Village may charge its actual costs of labor in opening/closing the fire hydrant and providing the water.

*Note: A backflow preventer is required on all trucks purchasing water from the fire hydrants.

D. Multiple units:

Each separate living unit shall be given equal treatment in the imposition of rates and charges. Each unit will pay a ready to serve (RTS) charge quarterly and receive a separate bill. Therefore, in the case of any two-family dwellings, multiple dwellings or commercial buildings, as those terms are defined in the zoning section of this code, there shall be a separate bill for each living or rental unit ready to serve commodity charge. The owner of any such multi-family dwelling, or commercial building may choose to have a separate meter installed for each living unit. In this event, the rates set forth in (1.6 Usage rates, A Metered Customers, 1: Ready to Serve (RTS) fee per quarter) Usage rates shall apply to each. If no separate meter is installed, the owner shall pay the minimum ready to serve (RTS) of a 5/8" REU, plus a prorated share at the rates specified in subsection 1.6 above.

E. Municipal facilities:

1. Village's municipal facilities without a meter shall be billed \$64.07 per REU per quarter.
2. Any municipal facility using water with a meter shall be billed at the same rate per 1,000 gallons as any other metered customer.

F. Mandatory use of system:

All property owners within the Village limits, either vacant or occupied, shall connect to the water system provided by the Village, if available. Water service shall be deemed to be available if the Village main supply 1) runs through the subject property, 2) adjoins any public street or alley abutting the subject property, or 3) is within 300 feet of the subject property. In the event an occupied (improved) property owner does not make use of the Village water system the property shall be charged a quarterly fee in the amount of water ready to serve (5.8" line). Any new construction must connect to the water system if it is available. Unimproved (Vacant) property shall not pay a ready to serve fee.

1.8 Billing periods:

- A. For the purpose of making and collecting charges for water used by the customer, the calendar year shall be divided and designated as follows:
Quarterly periods for water and wastewater usage and water ready to serve and wastewater ready to serve charges shall begin on the first day of January, April, July and October respectively and shall extend to the beginning of the succeeding quarter, and all rates and charges for water supplied during any quarter shall be paid within 20 days from the date of billing.
- B. However, the Village Council may, by Resolution, and notice to customers that is published in a newspaper of general circulation in the Village of Stockbridge, modify this billing procedure from time to time.

- C. The Village may estimate water consumption in determining a customer's water charge for a period and bill the customer accordingly. Actual readings for a customer's meter shall be made at least once a year and upon an actual meter reading. The Village shall either credit or debit each respective water account so that the ultimate charges to each account will reflect the charges for only the actual amount of water used and to be paid for in accordance with the water rates hereinafter specified.
- D. If any payment check bounces or is returned for NSF, a \$30.00 bounced check fee shall be applied to the bill.
- E. For special services or in special circumstances, the Village may establish by contract a special rate for water services.

1.9 Transfer of water system REU(s) back to the Village of Stockbridge system:

- A. Any individual, firm or corporation, whether public or private, owning property in the Village of Stockbridge (transferor) that is served by the municipal water system may voluntarily transfer back to the Village of Stockbridge's municipal water system (transferee) any unwanted water REU(s) provided:
 - 1. The transferor's use in question on the subject property, the transferor shall retain the greater of:
 - a. One water REU for existing building or structure connected to the system, or
 - b. The minimum number of REU(s) required under the table of unit factors for the use in question being conducted within the building or structure connected to the system.
 - 2. The transferor shall not receive compensation from the transferee for the transfer back of the unwanted REU(s), but the transferee's system shall discontinue its regular monthly service charge as to these unwanted REU(s).
 - 3. Any request for a transfer back of unwanted REU(s) by the transferor shall be made in writing to the Village Manager, President or Clerk or his/her designee.
 - 4. The transferee shall hold the transferor's unwanted REU(s) in escrow for 12 months from the date of the transfer. During this time, the transferor may seek, by written request to the Village Manager, President, Clerk or his/her designee, a return of the REU(s) provided the transferor first repays the Village all monies the transferor would have paid the transferee's system during the intervening time had the transfer never taken place.
 - 5. The Village Manager, President, Clerk or his/her designee shall notify the transferor of the fee required within 30 days of receiving the written request.
 - 6. The transferor shall have 30 days from the date of that written notice to pay the fee required or the transferor's request shall be considered null and void.
 - 7. If the 12-month period expires without a written request under paragraph 1.8 A.4, the term of escrow shall terminate, and the transferee's respective system shall forever own the REU(s) free and clear of any claim by the transferor.
 - 8. If the transferor files a written request under paragraph 1.8. A.4 and does not pay the fee required within 30 days of the date of the written notice from the Village Manager, President, Clerk or his/her designee, then the term of escrow shall terminate, and the transferee's respective systems shall forever thereafter own the REU(s) free and clear of any claim by the transferor.
 - 9. All notices required under this Resolution shall either be hand delivered or mailed to the respective party by first class United States mail with receipt of mailing. The transferee may use the billing address for the sewer bill when mailing any notice required herein to the transferor.

10. Anyone wishing to complete a transfer as set forth above shall execute an agreement substantially following the framework above, as drafted by the Village attorney.

1.10 Table of unit factors:

- A. For all users of the system, and except as otherwise provided herein, the Village adopts a table of units entitled "Table of Unit Factors" for the Village of Stockbridge Potable Water System.
- B. Rules for interpreting Table of Unit Factors:
 - 1. Residential Equivalent Units (REU(s)) contained in the Table of Unit Factors shall only be applied to 1) new construction, 2) situations where it is impossible to install a water meter or 3) in situations where water is provided by a private well that was installed in compliance with 1.6 Usage rates F. Mandatory use of system.
 - 2. The minimum equivalent factor for all users shall be one (1) REU, equal to 20,200 gallons per quarter.
 - 3. Equivalent units for users not originally contained in the table may be added by Resolution of the Village Council.
 - 4. Where multiple businesses exist at one location, the various businesses shall be combined to determine the equivalent units (number of REU(s)) at such location.

1.11 Sufficiency of rates: Revision or modification of equivalent units:

- A. Review of the equivalent units of users having an equivalent unit factor of more than one (1.0) REU shall be reviewed by the Village at least once each year. Unless the equivalent unit factor of such user is changed by Resolution of the Village Council on or before the 15th day of the last month preceding the commencement of the system fiscal year (February 15), the equivalent unit factor of such user shall remain the same as it was for the preceding fiscal year. Failure to review shall not cause said factor to be omitted and shall not be considered grounds for discontinuance of said factor.
- B. Review of metered users where the user has been required by ordinance, or by agreement, to install a meter to register flow, the equivalent unit factor for purposes of determining the service charge of such user shall be reviewed and adjusted yearly to assure the equivalent unit factor assigned to said user is compatible with use. The factor for determining the service charge for the next fiscal year shall be as follows" Average quarterly use during the previous year divided by 20,000 gallons equals the equivalent unit factors (number of RE).

1.12 Appeal:

- A. A property owner having an equivalent unit factor of more than one, may upon written request, appeal to the Stockbridge Village Council.

1.13 Effective date for application of equivalent units:

A. Where equivalent units are used to determine the connection service and other charges of a property owner, the equivalent unit which shall be used in the calculation of such charges shall be the equivalent unit factor assigned as of March 1 of each year.

1.14 Village of Stockbridge use:

- A. For the use of potable water services rendered to the Village and its various departments by the system, the Village shall pay according to the amounts set forth in the table of unit factors.

1.15 Contractual rates:

A. The foregoing provisions relating to rates shall not be construed as prohibiting any special agreement or arrangement between the Village and the users or class of users whereby the potable water usage of such user or class of users whereby the potable water usage of such user or class of users may be accepted into the system, subject to special payment by said user or class of users.

1.16 Repairs and maintenance:

- A. After the initial installation of potable water transmission lines, the user is responsible for the repair or maintenance of all potable water transmission lines from the user’s unit up to the connection to the Village main.
- B. The balance of the cost of replacement, plus interest, is due and payable immediately.
- C. Thereafter, the entire remaining balance of the cost of replacement, plus unpaid interest, shall be placed on the tax roll by the Village Treasurer for collection.

Motion by: Howlett

Seconded by: Cattell

Yeas: Howlett, Mullins, Morehouse, Powers-Taylor, Fairbotham, Cattell, Ogden

Nays: None

Absent: None

Adopted at the regular meeting of the Stockbridge Village Council on Monday, June 3, 2024.



Jill Ogden, Village President

CLERK’S CERTIFICATION

I certify that the above is a true and complete copy of Resolution No. 2024-06-03.003 adopted by the Village Council at a Regular Meeting held on June 3, 2024.

I hereby certify that the foregoing is a true and complete copy of an Resolution adopted by the Village Council of the Village of Stockbridge, County of Ingham, State of Michigan, at a regular meeting held on the 3rd day of June, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.



By: Heather Armstrong
Its: Village Clerk

Drafted by:
Daryl Anderson
Chair Planning Commission