

Muskegon County Regional Water System

APPENDIX “C”

Rules and Regulations

Effective October 1, 2005
Amended Effective October 1, 2019

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PREFIX

DEFINITIONS

<u>APPLICATION</u> -	A form furnished by the townships to be filled out by anyone desiring water service.
<u>CONNECTION CHARGE</u> -	A fee paid by a property owner for the right to utilize water from the System.
<u>COUNTY</u> -	County of Muskegon
<u>DPW BOARD</u> -	Muskegon County Board of Public Works.
<u>INSTALLATION OR HOOKUP</u> -	Includes the stub service, service lines, meter, remote reading device, and inspection necessary to complete the furnishing of water service to the property.
<u>MCDPW</u> -	Muskegon County Department of Public Works. Whenever this term is used, it represents those persons designated by the DPW Board to carry out the operation and maintenance of the System with the concurrence of the Policy Board (Public Works personnel, township personnel, or any other specifically designated party).
<u>ORDINANCE</u> -	The Uniform Water Rate Ordinance, as amended.
<u>POLICY BOARD</u> -	Muskegon County Regional Water System Policy Board.
<u>SERVICE LINES</u> -	Refers to that part of the service on the property from the property line to the structure.
<u>STUB SERVICE</u> -	That part of a service from the mains to the property line, including necessary valves and boxes.
<u>SYSTEM</u> -	The Muskegon County Regional Water System.
<u>TOWNSHIP</u> -	Township of Dalton or Fruitland or Laketon or Muskegon (collectively "Townships").
<u>TRUNKS</u> -	Mains used to carry water to large areas, usually over 12".

UNMETERED SERVICE -

Those services where a meter is not used. Usually fire protection lines or temporary services furnished for special purposes.

SECTION I
APPLICATION FOR SERVICE

1.1 Residents, or owners, desiring water service must file an application on appropriate forms with the Township. The application shall show the legal description, plat number, or street address of the property to be served, the size of service desired and any other pertinent data required by the Township or County.

1.2 The application must be accompanied by payment of the required service charges. No action will be started to install or provide service until all fees and charges are paid.

1.3 When the application is signed by the property owner, no guarantee deposit will be required. If the applicant is a tenant, the application must be accompanied by the required deposit to guarantee payment of the service bills.

1.4 An application will be required of each new user even though water service may already be installed to the premises. Should the original application stipulate a billing address separate from the service address and a change in the billing address is desired, the request must be made in writing to MCDPW or the Township.

1.5 Every person, contractor, and premises requesting and/or being supplied with water service shall be subject to the Ordinance, these Rules and Regulations, as amended, the Michigan Plumbing Code, as amended, and the plumbing provisions of the Michigan Residential Code, as amended (where applicable). In addition, the MCDPW may apply the 10 States Standards for Water Works to the System and require an owner, contractor or other responsible person to comply with the standards where applicable.

SECTION II
INSTALLATION OF WATER SERVICES

2.1 Connections to the water distribution lines shall be made only by duly authorized personnel or by a licensed plumber or licensed contractor specially employed or designated by the MCDPW. A licensed plumber or licensed contractor designated to make such connections shall be required to file a bond and furnish evidence of compensation and public liability insurance coverage before proceeding with any work as outlined herein.

2.2 Except as otherwise approved by the MCDPW and the Policy Board in its discretion, not more than one (1) residence shall be placed on one (1) water meter, nor shall the service line

be run from one residence to another but shall be run directly to the main adjacent to the premises served. Installation of water services (including connections and metering) for commercial or industrial applications, new residential or mixed-use developments, and multi-unit residential complexes shall be subject to review and approval on a case-by-case basis.

2.3 The size type, location, depth, installation, and testing of service lines shall comply with all applicable laws, rules and regulations.

2.4 Every service line shall be furnished with a valve on the influent and effluent side of the meter.

2.5 If any application for service shall require a service line of a diameter of three (3) inches or larger, water shall not be turned on until the owner, at his or her own expense, shall have first furnished to the Plumbing Inspector the written results of tests conducted by qualified test operators certifying that the service lines and all the owner's connections thereto have been hydrostatically tested and disinfected in accordance with applicable rules and regulations.

2.6 Trenches shall remain open with service lines exposed until inspection and testing by the Plumbing Inspector. The curb cock or valve on any stub service shall not be opened, (except to flush the valve at time of connection) and left open so that water may be supplied to the premises through the service unless and until the service line and installation has been inspected and tested.

2.7 Upon completion and inspection of service connections, a meter will be installed by the MCDPW and the water will be turned on. All necessary fees and charges must be paid before this is done.

2.8 No person shall make any attachment or connection with the water distribution system or make any repairs, additions or alterations of any fixtures connected with the system except in accordance with the Plumbing Code. All work performed shall be subject to inspection by the Plumbing Inspector which will have the authority to order any part disconnected or changed if it does not comply with the code. No work will be performed on any part of the service between the main and the meter without written authorization of the MCDPW and the Plumbing Inspector.

2.9 Stand pipes or other pipes for the automatic suppression of fires in buildings, and intended only for such use, may be attached direct to the water supply system without a meter. A separate application accompanied by a plan for the proposed installation must be submitted for approval. No changes will be made in the system after installation without prior approval. A special maintenance contract shall be written to cover service of this nature. A detector check must be installed.

2.10 Fire hydrants may be installed on private property to be used solely for fire purposes. Such installations must have prior written approval of the MCDPW and the Plumbing Inspector. An easement satisfactory to the DPW Board shall be dedicated to the System and the hydrants and mains shall become part of the System unless otherwise approved by the Policy Board and the DPW Board.

2.11 Water service may be installed beyond the end of an existing main when approved by the MCDPW and the Plumbing Inspector. A meter pit may be required. Such an extension does NOT eliminate such property from being assessed if the mains are extended past the property, if it is not already being assessed. When the mains are extended, a new stub service may be required. All expenses on such a connection, including a new stub, will be the responsibility of the property owner requesting service.

2.12 Any person, partnership, firm or corporation desiring to perform work including the construction of service connections to structures of other persons or entities shall secure the required permit(s) prior to commencing work and shall perform all work in accordance with federal and state law, Township ordinances, and these rules and regulations. Any person, partnership, firm or corporation conducting work for on behalf of the System shall perform the work in accordance with federal and state law, Township Ordinances, and these rules and regulations and shall, prior to commencing work, execute a contract (“Agreement”) on terms that are satisfactory to the County, which Agreement may require such things as a surety bond or other security for faithful performance of the work, certain insurance coverages, and any other terms as determined by the parties to the Agreement. All work shall be performed in accordance with the permit(s) issued for such work and before expiration of such permit(s), including any lawful extensions that are granted by the issuing agency or official.

2.13 With respect to written or oral agreements, contracts or transactions between and among property owners, tenants, and licensed contractors, the Township and the County, notwithstanding any provisions contained in the Ordinance or these rules and regulations, shall not be deemed to have knowledge of an agreement or contract between said parties, and shall not be deemed a principal or master or the agent or servant of the licensed contractor. The Township and the County do not in any way act as guarantor or surety for any licensed contractor herein and does not extend warranties, expressed or implied for the licensed contractors’ performance other than duties and obligations assumed by the Township or County in the provisions of the ordinance. Licensed contractors shall hold harmless the Township and the County from any and all actions and statements.

**SECTION III
FEES AND CHARGES**

3.1 The following fees and charges apply to the System, in addition to other fees and charges identified in the Ordinance, including Appendix B:

<i>INSTALLATION FEES:</i> All installation fees must be paid in full at time of application, along with connection fees.	
Stub Service Fee	See Ordinance Appendix B
Meter Fee	See Ordinance Appendix B
Service Lines	Costs for installation and scheduling are the applicant's responsibility.
Other Fees	Other fees are listed in Ordinance Appendix B and may include but are not limited to estimates, detector checks, special meter pits, etc.
<i>RESETTING OR REPLACING METERS</i>	
A meter will be reset at the request of the property owner or after acts of the property owner or tenant necessitate resetting the meter	\$50.00
Replacement of meter due to damage caused by carelessness or neglect by the owner, tenant, agent, or invitee	Actual cost of meter plus reset charge of \$50.00
<i>METER TESTING</i>	
Testing at the owner's request when not satisfied with readings	\$50.00 (refunded if the meter is found to be defective)
<i>TURN-ON CHARGE:</i> After service has been turned off for nonpayment (not required for new installations).	
Weekdays during regular business hours	\$50.00 or actual cost, whichever is higher
Weekdays after regular business hours and weekends or holidays	\$100.00 or actual cost, whichever is higher
<i>SEASONAL DISCONTINUANCE CHARGE:</i> For a voluntary, seasonal discontinuance.	
(1)Turn-off and (1) turn-on	\$50.00
<i>TEMPORARY SERVICE FROM HYDRANTS:</i> All such service must be approved in writing before actual use starts.	
Connection charge	\$150.00
Cost of water	Cost based on usage
Meter deposit	\$150.00 (if required by MCDPW)
<i>SPECIAL WATER SERVICE</i>	
Any water service not contemplated herein, or for which a charge or fee is not otherwise provided herein	To be determined on a time and materials basis
<i>METER TESTING</i>	
Testing at the owner's request when not satisfied with readings	\$50.00 (refunded if the meter is found to be defective)

FROZEN SERVICE CALL: When water service freezes outside of the public right of way.	
First call to service address	\$0.00 (no charge)
Subsequent calls	\$200.00 per call
FIRE SUPPRESSION DEMAND CHARGE	
Fire suppression demand charge	To be issued based on the minimum billing for an equivalent meter size equal to 1/2 of the incoming fire lines (e.g., an 8-inch fire line will be charged at the minimum billing rate for a 4-inch meter), except as otherwise provided in the Plumbing Code, the 10 States Standards, or other applicable code or regulation.

3.2 UNAUTHORIZED USE OF WATER

The fines payable to the System for the unauthorized use of water or water theft, including illegal use of a fire hydrant or service line, which shall be in addition to any fine or penalty imposed under the Ordinance, a cross connection ordinance, or any other ordinance adopted with respect to operation of the System, shall be \$1,000 plus \$100.00 per day for a first offense, and \$2500.00 plus \$250.00 per day for a second or subsequent offense.

3.3 LEASED PROPERTIES; RENTER'S SECURITY DEPOSIT

When a tenant is responsible for the direct payment of water bills, the tenant shall submit an affidavit to the Township along with a copy of a fully and legally executed lease containing the provision regarding payment of water bills by the tenant and the term of expiration date of the lease. Upon submission of the required documentation, the lessor or owner shall not be liable for payment of the water bill and the associated fees and charges shall not become a lien against the premises after that date. However, after the filing of the affidavit and lease, no further service shall be rendered to the premises until a cash deposit of Three Hundred Dollars (\$300.00) per REU is made as security for the payment of future charges. The renter's security deposit shall be refunded when service is discontinued or transferred and all bills are paid, and maybe be applied in part or in full to any water bills due and owing at the time the service is discontinued or transferred. The lessor and lessee shall give the Township twenty (20) day' notice of any cancellation, change in, or termination of the lease.

SECTION IV
METERS

4.1 All permanent service connections with the water distribution system must be provided with an approved type of water meter. (See Section II, par. 2.10 for fire lines.)

4.2 All meters must be set in a horizontal position in a clean sanitary place that is easily accessible. They will not be installed in locked closets, coal bins, under toilet room floor, in pits below the basement floor, under buildings having no basement, under porches or in any other place difficult of access. Whenever practical, the meter will be installed in the basement where the service line enters the building.

4.3 All meters, when possible, will be equipped with an outside reading device and shall be of a type and design selected by the MCDPW. Meters shall be installed by the MCDPW after the property owner has provided an approved and inspected service from the stub line to the building and all fees and charges have been paid. If a meter pit is required for service greater than one inch, it will be provided by the property owner and approved by the MCDPW. All meters will remain the property of the MCDPW.

4.4 The MCDPW will maintain all meters and make all necessary replacements caused by normal wear. The consumer will be held responsible for care and protection of the meter from freezing or hot water and from damage by any person while installed on his or her property. Repairs to meters will be made only by the MCDPW or its designated agent. Any meter damaged by carelessness or neglect on the part of the tenant, owner, agent or invitee will be repaired by the MCDPW and the cost of such repair, plus resetting charge, will be assessed against owner.

4.5 If the MCDPW determines that a meter has failed to register or failed to register consistently, the MCDPW shall estimate the amount of monthly consumption of water. In making such estimate, the amount used in the user's billing history will be used. Special consideration will be given to the same month's usage in previous years. In the case of a faulty meter, the MCDPW shall have the authority to adjust the water bill(s).

4.6 If a user is not satisfied with the meter performance, the user may request, in writing, that the MCDPW test the meter. Payment of the meter testing charge must be made with the request. If the meter is found to be defective, it will be replaced and the testing charge will be refunded. In case of a defective meter the MCDPW shall have authority to adjust the water bill(s).

4.7 Whenever the MCDPW tests a meter voluntarily and not pursuant to any user request, the test shall be done without cost to the property owner or user.

4.8 A water meter shall be deemed accurate if it meets the American Water Works Association (“AWWA”) standard for water meter accuracy at the time of testing.

4.9 No person, other than MCDPW employees or designees, shall tamper with the meter, reroute the flow of water to bypass the meter, or remove the meter from the line. No person, other than MCDPW employees or designees, shall remove, tamper with, or break a seal placed on a meter by MCDPW, or permit any other person to break or remove or tamper with any such seal. Where a seal has been removed from a meter or the meter shows indication of tampering, the MCDPW may assume that the reading was changed and the maximum water bill previously issued may be assessed against the user.

SECTION V OWNERSHIP OF WATER LINES

5.1 All water distribution lines, fire hydrants, and stub services, including the corporation cock, curb box and stop cock, and all meters shall be and remain the property of the MCDPW and it shall have exclusive jurisdiction over their operation and maintenance.

5.2 All water distribution lines installed in subdivisions by the developer thereof shall become the property of the MCDPW when they are connected to the main.

5.3 It shall be unlawful for any person to disturb, remove, alter, or tamper with any water line or any municipality-owned attachment thereto, including the shut off cocks and meters. No person other than an employee or designee of the MCDPW shall open or close any valve or gate in the water mains or open or shut any curb cock. No person other than a member of the Fire Department or MCDPW shall unlock or remove the cap or cover from any fire hydrant or open or close the valve thereof, except by written order from the MCDPW.

5.4 All water lines within the limits of the property line are the property of the owner of the premises. They must be maintained in proper condition at all times by the property owner.

5.5 Any extensions to the System shall meet the minimum standards for construction as established by the 10 States Standards.

SECTION VI HYDRANTS AND UNMETERED USAGE

6.1 Water hydrants are provided primarily for fire protection and no other use shall obstruct or cause delay in the attaching of fire lines. Hydrants shall not be operated by anyone other than employees of the MCDPW, or members of the Fire Department except by written order of the MCDPW.

6.2 Temporary permits may be issued for water service from a fire hydrant to contractors or other responsible persons. This service may be either metered or unmetered according to the need. The user must submit a written request, in advance, to the MCDPW, which will arrange for the necessary connections and/or meter and instruct the user in the proper procedures.

6.3 In using water from a hydrant, the main valve shall be opened full each morning and closed each night at the cessation of work and shall be pumped down to eliminate any water in the barrel. The small valve on the connector will be used to control the flow of water. A hydrant wrench must be used to operate the hydrant valve and any damage to the operating nut caused by the use of improper tools will be charged to the user. **PIPE WRENCHES ARE NOT ALLOWED.**

6.4 A separate application must be made for each unmetered or hydrant connection desired. No permit will be made during freezing weather unless adequate protection from freezing is made by the applicant.

6.5 A request for a temporary water connection must be made in writing to the MCDPW and accompanied by the required fee. If a meter deposit is required, the deposit must be paid before the service is furnished.

6.6 The Fire Department shall notify the maintenance agency immediately after the use of any hydrant in case that hydrant may need pumping after its use.

SECTION VII LIMITATIONS OF SERVICE

7.1 The MCDPW reserves the right to limit the amount of water to any user should circumstances seem to warrant such action.

7.2 The MCDPW reserves the right to shut off all or any number of mains or service connections in the event of or to facilitate new connections, new construction, repairs, leakage tests, or in case of fire. Advance notice will be given when possible, but no liability will be assumed for discontinuing water service in cases of emergency, or by accident.

7.3 The MCDPW and the Townships shall not be liable for any damage or loss of any nature caused by any change in water pressure or water shutoff. Persons operating steam boilers, hot water tanks and other equipment supplied with water from the system are warned to provide such equipment with suitable safety valves or other devices to prevent damage from explosion or collapse and to install check valves to prevent the back flow of hot water or steam into the meter.

SECTION VIII
COLLECTIONS

8.1 Water charges will be computed monthly based upon meter readings. Meter readings will be taken as nearly as possible on the same day of the month.

8.2 Monthly water bills will be mailed to the address at which service is rendered unless special notification has been provided. Failure to receive a bill does not avoid penalty. It shall be the recipient's responsibility to forward the bill to the responsible party.

8.3 Monthly bills for water service are due and payable on the due date. Bills may be paid in person or by mail. A penalty of 10% shall be added to all bills remaining unpaid after the due date. Any subsequent payment received will be first applied to any penalty owing.

8.4 All water rates shall be chargeable to and payable by the owners of the property in or on which service is rendered, and such charges shall constitute a lien on the property served by such connection, and may be collected in the same manner as general taxes as outlined in the Ordinance. Credit for water or water service beyond the regular monthly period shall not be extended to any property owner or user.

SECTION IX
DISCONTINUANCE OF SERVICE

9.1 A user wishing to discontinue service, either permanently or for a seasonal period is responsible for notifying the MCDPW. After the water is turned off, the RTS charge is discontinued but the connection charge remains applicable to the property. Failure to notify the MCDPW will result in minimum billing although the property may be unoccupied.

9.2 In cold weather when the water is turned off and the property will be unheated, the meter will be removed to prevent freezing. Owner of the property is responsible for any damage to the meter caused by freezing if the MCDPW was not advised that the property was to remain unoccupied and/or unheated.

9.3 Promptly after notice, the meter will be read and the service turned off. The final billing will be mailed to the address given. Reinstatement of service and reinstallation of the meter, if required, will be made upon request and payment of the fees required.

9.4 Change of tenancy or ownership requires the filing of a new application whether or not the service is turned off. Failure to notify the MCDPW of any change does not relieve a tenant or owner whose application is on file from responsibility for charges even though he may have moved out.

9.5 Any of the above referenced changes must be requested in writing. No verbal requests will be honored except those requiring emergency status.

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