

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE
CITY OF SOUTHGATE
BY AMENDING SECTION 1046.09.

Preamble

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE
CITY OF SOUTHGATE BY AMENDING SECTION 1046.09 NON PAYMENT;
DISCONTINUANCE OF SERVICE; LIENS; DEPOSITS; TURN-ON CHARGES.

**1046.09 NONPAYMENT; DISCONTINUANCE OF SERVICE; LIENS;
DEPOSITS; TURN-ON CHARGES.**

The Water Department is hereby authorized to enforce the payment of charges for water service to any premises by discontinuing the water service to such premises. The payment of charges for sewage disposal service to any premises may be enforced by discontinuing either the water the water service or the sewage disposal service to such premises, or both, and an action of assumpsit may be instituted by the City against the customer. The charges for water service and sewage disposal service which, under M.C.L.A. 141.121, as amended, are made a lien on the premises to which such services are furnished, are hereby recognized to constitute such a lien. The financial Director shall annually, on April 1, certify all unpaid charges for such services furnished to any premises which have remained unpaid for two previous billing periods, to the City Treasurer, who shall place the entire account balance on the next tax roll of the City. The City Treasurer shall add to that balance a processing fee of 8% of said balance. Such charges so assessed shall be collected in the same manner as general City taxes. In cases where the City is properly notified, in accordance with M.C.L.A. 141.212, that a tenant is responsible for water or sewage disposal service charges, no such service shall be commenced or continued to such premises until there has been deposited with the Water Department a sum sufficient to cover three times the average quarterly bill for such premises as estimated by the Director. Such deposit shall be, in no case, less than nine dollars (\$9.00). 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. There shall be a water turn-on charge as determined by city Council Resolution. In any other case where, in the discretion of the Director, the collection of charges for water or sewage disposal service may be difficult or uncertain, the Director may require a similar deposit. Such deposits may be applied against any delinquent water or sewage disposal service charges, and the application thereof shall not affect the right of the Water Department to turn off the water service and/or sewer service to any premises for any delinquency thereby satisfied. 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 or she discontinues 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, when any eight successive quarterly bills have been paid by such customer with no delinquency.

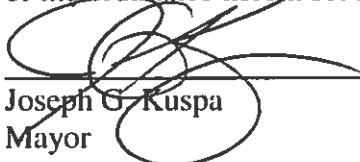
Section 2. Saving Clause. Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 3. Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court or competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

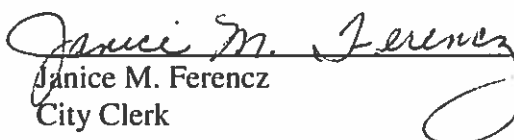
Section 4. Conflicting Ordinances. All prior existing ordinances adopted by the City of Southgate inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Authentication

This is to certify that the undersigned do hereby authenticate the foregoing record of the ordinance herein set forth.



Joseph G. Kuspa
Mayor



Janice M. Ferencz
City Clerk

Adopted March 1, 2017

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