

CITY OF HARTFORD
COUNTY OF VAN BUREN
STATE OF MICHIGAN
PROPOSED AMENDMENT
SECOND READING

THE CITY OF HARTFORD ORDAINS:

Ordinance 338 – 2023 Amendment to Code of Ordinance

TO ADD NEW SECTIONS 51.36 AND 52.29 TO THE HARTFORD CITY CODE TO PROVIDE DISCOUNTS FOR WATER/SEWER USAGE CHARGES IN THE EVENT OF METER READ DISPUTES, LEAKS, VOLUNTARY DRIPPAGE, POOL FILLS AND THE INSTALLATION OF LAWN METERS

Section 1. Additions. Sections 51.36 and 52.29 of the Hartford City Code are amended to provide in entirety as follows:

SEC. 51.36. DISCOUNTS FOR LEAKS, METER READ DISPUTES AND VOLUNTARILY WATER DRIPPING.

(A) *Definitions*. For purposes of this section, the following words and phrases shall have the meanings ascribed to them below:

- (1) *Water leak* means an unintended and uncontrolled release of water from the plumbing on the premises.
- (2) *Voluntary Water Dripping* means the intentional and controlled release of water from a faucet or plumbing fixture on the premises to prevent or reduce the likelihood of freezing during cold (October – April) weather conditions.
- (3) *Failure of Meter, Inaccurate Meter, Defective Meter*, means not advancing when public water passes through it or when tested, registers in excess of two percent more or in excess of two percent less than the actual quantity of public water passing through it. If a meter registers in excess of two percent more than the actual quantity of public water passing through it, it shall be considered “fast”. If a meter registers in excess of two percent less than the actual quality of public water passing through it, it shall be considered “slow”.

(B) *Application for water-leak discount*. A property owner who has experienced a water leak resulting in excess water usage shall be eligible for a one-time water usage fee discount upon meeting the following conditions:

- (1) The property owner must promptly repair the water leak once detected.
- (2) The property owner must promptly report the leak in writing to the city Clerk and provide evidence of the water leak repair and the estimated amount of excess water used. Such evidence may include invoices from licensed plumbers or contractors, past utility bills, etc.

(C) *Application for voluntary dripping discount*. A property owner who voluntarily drips water from a faucet to prevent freezing during freezing weather conditions shall be eligible for a seasonal water/sewer usage fee discount upon meeting the following conditions:

- (1) The property owner must apply to the city Clerk for the discount as set by Council from time to time, in advance of commencing voluntary dripping and demonstrate that the dripping of water is necessary for the purpose of preventing freezing.

(2) Such application must indicate the proposed duration and dates during which the voluntary water dripping occurred.

(3) The city Clerk may approve such applications at his or her discretion only upon determining that there is a substantial likelihood that the pipes in the premises will freeze if voluntary dripping measures are not undertaken. The amount of the discount shall be determined by the city-Clerk based on the estimated amount of drippage necessary.

(D) *Application for inaccurate meter or failure of meter.* A request in writing must be made by the property owner. A work order to test the meter will be sent to the Department of Public Works if any meter shall fail to register properly the City Clerk shall estimate the consumption of public water and bill accordingly. A customer may require the meter under this section be tested. If the meter is found defective, it shall be repaired or another meter will be installed at the City's expense. If a meter has been tested and it is determined to register "fast" the City shall credit the customer with a sum equal to the percentage "fast" multiplied by the amount of the commodity fee incurred by said customer with the six months prior to the test. If a meter so tested is determined to register "slow" the City may collect from the customer a sum equal to the percentage found "slow" multiplied by the amount of the commodity fee incurred by the customer within the six months prior to the test. If a meter registered within the two percent of public water flow allowed, the customer may be charged a meter testing fee as set by Council from time to time.

(E) *Dispute Resolution.* If a customer has a complaint or dispute that cannot be resolved with the City Clerk and/or City Manager, the City Council will take all facts into consideration and make the final dispute resolution.

SEC. 52.29. LAWN METER CREDITS FROM SEWER USAGE FEES.

(A) Any customer of the City's water and sewer service desiring to receive a deduction on monthly sewer bills for the months of May, June, July, August, or September (spring/summer months) must purchase and properly install an approved lawn meter adjacent to the outside spigot at the premises. If the lawn meter is permanently affixed to the interior plumbing it must be inspected by Department of Public Works before a discount can be given. No credit will be given for outside usage or pool fills without a separate meter installed for this purpose.

(B) On or before the 14th day of each spring/summer month, any customer with a lawn meter desiring to obtain a credit under this section must report the recorded meter read of the lawn meter to the city Clerk on a form created and provided for that purpose. The amount of water reported as consumed through the spigot for each spring/summer month will be deducted from the consumption portion of that month's sewer bill, unless such amount is determined to be inaccurate pursuant to subsection (C) below. Lawn meter credits shall be forfeited if not turned in during the current calendar year.

(C) The city Clerk or the city Clerk designee is authorized to conduct on-site inspections of the lawn meter to determine the veracity of any report made pursuant to subsection (B).

Section 2. Publication and Effective Date. The City Clerk shall cause this ordinance or a notice of adoption of this ordinance to be published. This ordinance shall take effect upon such publication.

Ordinance 338 – 2023 amendment declared adopted upon publication.

The City of Hartford

RoxAnn Rodney-Isbrecht, Clerk

First Reading: September 25, 2023
Second Reading: October 23, 2023
Adopted:
Published:

CERTIFICATION

This true and complete copy of Ordinance No. 338-2023 was declared adopted at a regular meeting of the Hartford City Commission held on _____, 2023.

Richard A. Hall, Mayor

RoxAnn Rodney-Isbrecht, Clerk