

**VILLAGE OF LAKE ORION
COUNTY OF OAKLAND
STATE OF MICHIGAN**

RESOLUTION NO. _____

A RESOLUTION TO ~~ESTABLISH A FORMAL~~ AMEND THE VILLAGE OF LAKE ORION POLICY ON THE WAIVING OF VILLAGE FEES AND CHARGES FOR PROGRAMS AND SERVICES.

WHEREAS, the Village of Lake Orion establishes, assesses, and collects fees and charges, in order to reimburse the Village for expenditures, for a variety of programs and services offered by the village; and

WHEREAS, the Village frequently receives requests from organizations, entities, and citizens to waive fees and charges; and

WHEREAS, the Village Council has determined that it is necessary to establish a formal policy for the waiving of fees and charges;

NOW, THEREFORE, BE IT RESOLVED that the Village Council for the Village of Lake Orion hereby establishes the following policy for the waiving of Village fees and charges:

1. The Village Council retains the sole authority to establish fees and charges for programs and services offered by the Village.
2. The schedule of fees and charges as adopted by the Village Council shall not be waived, reduced, or forgiven in any manner, except in accordance with this policy and except that the Village Manager shall be authorized to waive, reduce, or forgive fees and charges to other governmental or public entities, when the Village Manager determines that such entities:
 - a. Provide a program or service within the Village for which a fee or charge would normally be charged by the Village; and
 - b. Fund the program or service in whole or in part through property or other taxes levied and collected by the entity; and
 - c. Make such program or service open and available to the general public without entry or participation fee. Vendors may sell goods or services at such programs or events, but purchasing of goods or services must be optional and must not be a requirement for public attendance at or participation in the program, event, or service so provided.

3. The Village Council determines that waiving, reducing, or forgiving of fees and charges by the Village for private, nonprofit, charitable, civic or other organizations, or individuals, to be a conversion of public resources to a private benefit when such consideration is not given to the public generally, and therefore is impermissible.
4. The Village Manager may proportionately reduce water or sanitary sewer commodity charges or late fees, penalties, and interest only if, after investigation, the Village Manager finds that independent, objective, and verifiable information clearly indicates that (1) water did not enter a building served by the Village's water system; (2) waste water did not enter the Village's sanitary sewer system from a building served by the Village's sewer system; or (3) a faulty water meter caused an overcharge in a customer utility bill. The policy of the Village, in compliance with the Village Code of Ordinances and bond covenants, is that no free water or sanitary sewer service shall be provided to any customer absent a finding from the Village Manager pursuant to this section. A finding and determination by the Village Manager under this section shall be final.

Ayes:

Nays:

Absent:

Resolution declared adopted.