

AMMENDMENT TO ORDINANCE NO. 4

WATER USE AND RATE

AN ORDINANCE TO PROVIDE FOR THE OPERATION OF THE WATER SUPPLY SYSTEM FOR THE VILLAGE OF DEERFIELD.

THE VILLAGE OF DEERFIELD ORDAINS:

ORDINANCE NO. 05-01

An amendment to Ordinance 4,
Water Use and Rate Ordinance

THE VILLAGE OF DEERFIELD HEREBY ORDAINS:

Section 1. Amendment to Ordinance

Ordinance 4, the Village of Deerfield Water Use and Rate Ordinance is amended as follows:

a. Section 3 of the ordinance is amended to read as follows:

Section 3. Definitions

- a. Commercial User: Any user of the Water System other than a residential user.
- b. Residential User: A user of the Water System whose premises or buildings are used primarily as a domicile for one or more persons. Transient lodging is not included; it is considered commercial.
- c. Revenues and Net Revenues: These terms shall have the meanings as defined in Section 3, Act 94, Public Acts of Michigan, 1933, as amended.
- d. Water System: The Village of Deerfield water supply system and all improvements thereto, as set forth in Section (2) hereof.
- e. Water Distribution System: The entire system of distributing drinking water in the Village of Deerfield.
- f. Water Connection: That part of the Water Distribution System connecting the water main to a point between the water main and the property line, including the curb box and curb stop.
- g. Water Main: That part of the Water Distribution System located within easement lines or streets and designated to supply more than one water connection.
- h. Water Service Pipe: That part of the Water Distribution System between the water connection and the premises served.
- i. Village: The Village of Deerfield, Michigan, and any agent thereof.

b. Section 10 of the ordinance is amended to read as follows:

Section 10. Penalty

Every person convicted of a violation of any provision of this Ordinance or any rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more that one hundred (\$100.00) dollars and costs of prosecution or imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. The imposition of any such sentence shall not exempt the

offender from compliance with the Ordinance.

c. The existing sections of the ordinance are hereby renumbered as follows

1. "Section 10. Customers Outside Village" is hereby renumbered Section 11.
2. "Section 11. No Free Service" is hereby renumbered Section 12.
3. "Section 12. Establishment of Rates" is hereby renumbered Section 13.
4. "Section 13. Operating Year" is hereby renumbered Section 14.
5. "Section 14. Depository for Revenues" is hereby renumbered Section 15.
6. "Section 15. Inspection and Maintenance" is hereby renumbered Section 16.
7. "Section 16. Severability" is hereby renumbered Section 17.
8. "Section 17. Repealer" is hereby renumbered Section 18.
9. "Section 18. Publication" is hereby renumbered Section 19.
10. "Section 19. Effective Date" is hereby renumbered Section 20.

Section 2. Other Provisions to Remain in Effect.

All other provisions of Ordinance 4 shall remain in effect.

Section 3. Severability

If any court of law of equity within the State of Michigan determines that any provision within this Ordinance is unconstitutional, void, voidable, or unenforceable, the remaining provisions of the same Section and other Sections of this Ordinance shall be deemed separate, distinct and valid in all respects from said provision.

Section 4. Effective Date

This Ordinance shall become effective thirty (30) days after its adoption.

YEAS: Nighswander, Witt, Cannon, Koch, Mueller, Sieler, Eggleston

NAYS: None

ABSENT: None

Ordinance Declared Adopted on November 7, 2005.

Todd Nighswander, President
Village of Deerfield

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Sanda Witt, the duly elected Clerk of the Village of Deerfield certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Village Council of the Village of Deerfield on November 7, 2005 and published in the Blissfield Advance a newspaper circulated in the Village of Deerfield on November 16, 2005.

Sanda Witt, Clerk
Village of Deerfield