

TITLE V: PUBLIC WORKS

Chapter

- 50. GENERAL PROVISIONS**
- 51. VILLAGE UTILITY RATES**
- 52. CROSS-CONNECTIONS**
- 53. SEWER SERVICES**
- 54. GARBAGE, BRUSH, RECYCLING**

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CHAPTER 50: GENERAL PROVISIONS

Section

- 50.01 Fraudulent connection or use of water, gas or electric supply
- 50.02 Fluoride
- 50.03 Water and sewer rates

' 50.01 FRAUDULENT CONNECTION OR USE OF WATER, GAS OR ELECTRIC SUPPLY.

(A) Any person who willfully or fraudulently injures or suffers to be injured, any wire, line, pipe, or appurtenance belonging to any water or sanitary sewer or storm sewer system of the village or prevents any water meter belonging to the village from duly registering the quantity of water measured through the same, or in any way hinders or interferes with its proper action or just registration or attaches any line, wire, or pipe to any line, wire, or pipe belonging to the village or otherwise uses any water supplied by the village, or its duly authorized agent or officer, unless the same passes through a water meter, or fraudulently uses village water or wastes the same, shall, for every such offense, be guilty of a misdemeanor.

(B) Provided, that any such criminal prosecution shall not in any way impair the right of such company or the village to a full compensation in damages by civil suit.
(1957 Code, ' 20-651)

' 50.02 FLUORIDE.

The village shall not add fluoride to the water supply furnished by it for human consumption.
(1957 Code, ' 25-200)

' 50.03 WATER AND SEWER RATES.

(A) *Water and sewer rates.* The village ordains: water and sanitary or storm sewer rates of the village.



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<i>Residential 3/4 and 1@ Meters</i>	
<i>Water Rates</i>	<i>Quarterly Rates</i>
Ready to serve includes first 5,000 gallons consumed	\$30
After 5,000 gallons	\$2 per 1,000
<i>Sewer Rates</i>	<i>Quarterly Rates</i>
Ready to serve includes first 5,000 gallons consumed	\$30
After 5,000 gallons	\$2 per 1,000

<i>Ready to Serve Rates by Meter Size</i>	
<i>Meter Size</i>	<i>Quarterly Rate</i>
1-1/2@ meter	\$45 water; \$45 sewer
2@ meter	\$60 water; \$60 sewer
3@ meter	\$90 water; \$90 sewer
4@ meter	\$150 water; \$150 sewer
6@ meter	\$300 water; \$300 sewer

<i>Consumption rate per 1,000</i>	
After first 5,000 gallons	\$2 per 1,000

<i>Water Tap Fee Schedule by Tap Size</i>	
3/4@ tap	\$1,000
1@ tap	\$1,200
1-1/2@ tap	\$1,500
2@ tap	\$2,000
4@ tap	\$3,000
6@ tap	\$4,000
8@ tap	\$5,000
Duplex	\$2,000

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<i>Water Tap Fee Schedule by Tap Size</i>	
Multi-family	\$1,000 for first unit; \$500 for each additional unit

<i>Meter Charge Schedule</i>	
3/4@	\$130
1@	\$200
1-1/2@ turbine	\$1,000
2@ turbine	\$1,065
2@ compound	\$1,880
3@ turbine	\$1,330
3@ compound	\$1,920
4@ turbine	\$2,585
4@ compound	\$3,335
6@ turbine	\$4,655
6@ compound	\$5,755
8@ turbine	\$7,900
8@ compound	\$9,300

<i>Sanitary Sewer Tap Fee Schedule by Tap Size</i>	
4@ tap	\$1,000
6@ tap	\$1,200
8@ tap	\$2,000
10@ tap	\$2,500
12@ tap	\$3,000
Multi-unit	\$1,000 for first unit
\$500 for each additional unit	

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<i>Storm Drain Tap Fee Schedule by Tap Size</i>	
2@ tap	\$200
3@ tap	\$300
4@ tap	\$400
6@ tap	\$600
8@ tap	\$800
10@ tap	\$1,000
12@ tap	\$1,200
Water, sanitary sewer and storm drain taps shall be charged to the property owner as part of the village=s street opening permit.	

(B) *Water service policies.*

(1) Village taps main, runs service line to property line, sets curb stop and curb box.

(2) Property owner is responsible for service line to the building, accessible location for meter purchased from village and accessible location for remote reader purchased from village on outside of building per village specification.

(C) *Sewer service policies.* Property owner=s contractor taps main with coring bit, installs sewer service line saddle purchased from village and installs sewer service line to building served. Village personnel inspect tap, saddle and portion of service line in right-of-way prior to backfill.

(D) *Storm sewer policies.* Property owner=s contractor taps storm system structure with coring bit, installs storm service line to location of private storm drainage structures on the property. Village personnel inspect tap and portion of service line in right-of-way prior to backfill.

(E) *Utility service charges.*

Turn Off fee	\$25; request by property owner or delinquent utility bill
Turn On fee	\$25

<i>After Hours</i>	
Turn Off fee	\$50

General Provisions

Turn On fee	\$50
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(F) *Delinquent service charges.*

- (1) Ten percent fee if not paid on due date on bill.
- (2) Turn Off fee (\$25) if not paid prior to turn off date on bill.
- (3) Turn On fee (\$25) for restoration of service.
- (4) After hour fees apply.

(G) *Payment of utility bills.* At Village Clerk=s office during normal business hours of 8:30 a.m. to 4:30 p.m. Monday through Friday; by mail to Village of Shepherd Water Department, P.O. Box 523, Shepherd Michigan 48883; on line at www.villageofshepherd.org or in monitored drop box by door at the village office. Returned checks will result in charges to the party that issued the check including fees incurred by the village from the financial institution and a processing fee from the village as established by action of the Village Council.

(H) *Meter testing fee.*

- (1) Request by property owner: \$30.
- (2) Fee waived if test shows that meter runs fast.
- (3) Utility bill adjusted.
- (4) Test fee and utility bill remain unchanged if test shows meter runs slow.

(I) *Utility charges for customers outside of corporate limits.* Non-village customers charged one and one-half times the rate charged to village customers of the same size meter for ready to serve and consumption.

(J) *Meter replacement.* Meter replacement due to plugged meter screen at village=s expense. Meter replacement due to negligence of property owner (frozen meter or otherwise damaged meter) at property owner=s expense.

(K) *Transfer of property ownership.* Current owner requests turn off and pays turn off fee, new owner pays turn on fee.

(L) *Water service line repair/replacement.* Village is responsible for repair, replacement from the water main to and including the curb stop and curb box. Property owner is responsible from the property side of the curb stop to the building.

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(M) *Frozen water service lines.* Property owners are responsible for their portion of the water service line from the shut-off located in the yard into the home. The village is responsible for the water service line from the water shut off to the water main and the water meter in the home. If for some reason the water service is frozen, the village will determine if it is frozen on the village or residential side. The village will thaw and restore service if the line is frozen on the village side. If frozen on the residential side, the resident can contract with the Village Water Department for a fee to have them thaw the service line or they can contact a local plumbing company to thaw the water service for them. If a resident fails to maintain/protect a home that causes a water meter to freeze or break, then the property owner is responsible for the cost of a new water meter.

(N) *Billing for water usage during Anotice to run water.@* The village will use a three-year average consumption for the billing period when the Anotice to run water@ is issued. The village will take reading at the time the Anotice to run water@ is issued. The village will take reading when the notice is discontinued. Should the Anotice to run water@ overlap two billing periods, the village will use the three-year average consumption for both quarters. The village will bill the customer for actual consumption for the following quarterly billing period.

(Ord. passed - -)

CHAPTER 51: UTILITY BILLS

Section

- 51.01 Lien created
- 51.02 Enforcement of lien
- 51.03 Notice of pendency of lien
- 51.04 Priority of lien
- 51.05 Disconnection for late payment
- 51.06 Person defined
- 51.07 Construction of chapter
- 51.08 Conflict

' 51.01 LIEN CREATED.

The village shall have, as security for the collection of any water rates, assessments, charges or rentals due or to become due for the use or consumption of water supplied, by the village, to any house or other building or any premises, lot or lots, or parcel or parcels of land, a lien upon such house or other building and upon the premises, or lot, or lots, or parcel, or parcels upon which such house or other building shall be situated or to which such water was supplied. Such lien shall become effective immediately upon the distribution of the water to the premises or property supplied as aforesaid but shall not be enforceable for more than three years thereafter.

(1957 Code, ' 25-101) (Ord. 7601, passed 2-21-1966)

' 51.02 ENFORCEMENT OF LIEN.

The lien created herein shall be enforced by certifying annually to the proper tax assessing officer or agency who shall enter the same upon the next tax roll against the premises, lot or lots, parcel or parcels of land to which such services and water have been rendered or supplied, the amount due for such water charges which have been, at date of such certification, due and unpaid for a period of at least 30 days; and said charges shall be collected and said lien shall be enforced in the same manner as provided for the collection of taxes assessed upon such roll and enforcement of the lien therefor.

(1957 Code, ' 25-102) (Ord. 7601, passed 2-21-1966)

Shepherd - Public Works**' 51.03 NOTICE OF PENDENCY OF LIEN.**

The official records of the officer, board, commission or department of the village having charge of the water distribution system shall constitute notice of the pendency of said lien.
(1957 Code, ' 25-103) (Ord. 7601, passed 2-21-1966)

' 51.04 PRIORITY OF LIEN.

The lien herein before created shall, from and after the passage of this chapter, have priority over all other liens except taxes or special assessments, whether or not such other liens accrued or were recorded prior to the accrual of the water lien herein created: provided, however, that the provisions of this chapter shall not apply in any instance where a lease has been legally executed, containing a provision that the lessor shall not be liable for payment of water bills as to any such bills accruing subsequent to the filing of the affidavit hereinafter provided for; provided further, that an affidavit with respect to the execution of such a lease containing the expiration thereof, shall be filed with the board, commission or other official in charge of the water works system and 20 days= notice shall be given by the lessor of any cancellation, change in or termination of the lease.
(1957 Code, ' 25-104) (Ord. 7601, passed 2-21-1966)

' 51.05 DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the village to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The village=s form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

(1) That all bills are due and payable on or before the date set forth on the bill;

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

(B) When it becomes necessary for the village to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge in the sum of \$25 during business hours, \$50 after hours.
(1957 Code, ' 25-105) (Ord. 7601, passed 2-21-1966)

Utility Bills

' 51.06 PERSON DEFINED.

The word *PERSON*, as used in this chapter, is hereby defined to be any person, firm, partnership or copartnership or corporation which is the owner or occupant of any house or other building or any premises, lot or lots, parcel or parcels of land.

(1957 Code, ' 25-106) (Ord. 7601, passed 2-21-1966)

' 51.07 CONSTRUCTION OF CHAPTER.

This chapter shall not repeal any existing charter provision or ordinance providing for the assessment or collection of water rates, assessments, charges or rentals by the village, but shall be construed as an additional grant of power to any now prescribed by other statutory, charter or ordinance provisions, or as a validating act to validate existing statutory or charter provisions creating liens herein provided for.

(1957 Code, ' 25-107) (Ord. 7601, passed 2-21-1966)

' 51.08 CONFLICT.

All ordinances, resolutions or orders, or parts thereof, in direct conflict with the provisions of this chapter are to the extent of such direct conflict hereby repealed.

(1957 Code, ' 25-109) (Ord. 7601, passed 2-21-1966)

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CHAPTER 52: CROSS-CONNECTIONS

Section

- 52.01 Rules adopted
- 52.02 Inspections
- 52.03 Right of access, information
- 52.04 Discontinuing service
- 52.05 Labeling unsafe water
- 52.06 Relationship of chapter to Plumbing Code

- 52.99 Penalty

' 52.01 RULES ADOPTED.

The village adopts by reference the Water Supply Cross-Connection Rules of the State Department of Public Health, being 323.1041 et seq. of the Michigan Administrative Code. (1957 Code, ' 25-151) (Ord. passed 3-5-1979)

' 52.02 INSPECTIONS.

It shall be the duty of the Village Water Department to cause inspections to be made of all properties served by the public water supply where cross-connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Village Water Department and as approved by the State Department of Public Health. (1957 Code, ' 25-152) (Ord. passed 3-5-1979)

' 52.03 RIGHT OF ACCESS, INFORMATION.

(A) The representative of the Village Water Department shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the village for the purpose of inspecting the piping system or systems thereof for cross-connections.

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(B) (1) On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

(2) The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections.
(1957 Code, ' 25-153) (Ord. passed 3-5-1979)

' 52.04 DISCONTINUING SERVICE.

(A) The Village Water Department is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this chapter exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system.

(B) Water service to such property shall not be restored until the cross-connection has been eliminated in compliance with the provisions of this chapter.
(1957 Code, ' 25-154) (Ord. passed 3-5-1979)

' 52.05 LABELING UNSAFE WATER.

(A) The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this chapter and by the State and Village Plumbing Code.

(B) Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable water system must be labeled in a conspicuous manner as:

WATER UNSAFE FOR DRINKING

(1957 Code, ' 25-155) (Ord. passed 3-5-1979) Penalty, see ' 52.99

' 52.06 RELATIONSHIP OF CHAPTER TO PLUMBING CODE.

This chapter does not supersede the State Plumbing Code or any present or future village plumbing ordinance but is supplementary to them.
(1957 Code, ' 25-156) (Ord. passed 3-5-1979)

Cross-Connections

' 52.99 PENALTY.

Fines for violations of this chapter shall be as set forth by the county.
(1957 Code, ' 25-157) (Ord. passed 3-5-1979)

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CHAPTER 53: SEWER SERVICES

Section

- 53.01 Permit required
- 53.02 Application for permit; fees
- 53.03 Sewer service charges
- 53.04 Inspection required
- 53.05 Sewer connection required
- 53.06 Draining, sanitary sewers; prohibition
- 53.07 Prohibited uses
- 53.08 Covering sewer, limitation
- 53.09 Health powers; abating nuisances
- 53.10 Private disposal systems; installation
- 53.11 Private disposal systems; discontinuance
- 53.12 Private disposal systems; prohibited

- 53.99 Penalty

' 53.01 PERMIT REQUIRED.

No person shall establish or make any connection with any village sewer or sewer pipe, or cause same to be done, unless he or she complies with the provisions of this chapter, the state laws and all lawful regulations, and unless he or she first procures a permit as prescribed herein.

(1957 Code, ' 25-001) (Ord. 8301, passed 3-15-1976) Penalty, see ' 53.99

' 53.02 APPLICATION FOR PERMIT; FEES.

(A) Application for a permit shall be made to the village in such form and detail as it may prescribe, accompanied with the payment of such charges as may be determined from time to time by the Village Council.

(B) Upon a determination by said village of the practicability of making the connection or installation requested in the application, the permit shall be granted.

(1957 Code, ' 25-002) (Ord. 8301, passed 3-15-1976)

' 53.03 SEWER SERVICE CHARGES.

(A) Charges for services shall be as established by the Village Council at village meetings from time to time, either by policy statements formally adopted or by motions made at Council meetings.

(B) Persons or businesses who water residential lawns or use water for irrigation purposes only may purchase a separate water meter from the village to measure lawn or irrigation sprinkling. Such metered water for lawn sprinkling or irrigation will not be charged sewer. Charges will be same as current water rate charges and water rate capitol surcharge as established in ' 50.03.

(1957 Code, ' 25-003) (Ord. 8301, passed 3-15-1976; Ord. passed 8-5-2002)

' 53.04 INSPECTION REQUIRED.

All work done pursuant to any permit issued hereunder shall be personally inspected by the village through its duly authorized agent, who shall have access to the premises for this purpose at all reasonable times.

(1957 Code, ' 25-005) (Ord. 8301, passed 3-15-1976) Penalty, see ' 54.99

' 53.05 SEWER CONNECTION REQUIRED.

Every lessee, owner or occupant of any building or structure that is occupied or used for any purpose shall be charged with the responsibility of connecting same with the sanitary sewer whenever such sewer is available. Every single house shall have a separate connection with the sewer main.

(1957 Code, ' 25-006) (Ord. 8301, passed 3-15-1976) Penalty, see ' 53.99

' 53.06 DRAINING, SANITARY SEWERS; PROHIBITION.

(A) No person shall place or cause to be placed in any sanitary sewer any substance other than household waste or commercial wastes. The terms **HOUSEHOLD WASTE** and **COMMERCIAL WASTE**, for the purposes of this chapter shall mean only liquid waste except surface and storm water drainage.

(B) No person shall connect roof downspouts, foundation drains, area way drains or any sources of surface or ground water to a building sewer which in turn is connected to the sanitary sewer system.

(C) No person shall discharge or cause to be discharged any storm water, surface water, ground water or roof water to any sanitary sewer.

Sewer Services

(D) Storm water, ground water and all other unpolluted drainage shall be discharged into storm drains or to a natural outlet approved by the village.

(E) Industrial cooling water which is unpolluted and not contaminated with oil, industrial adhesives algaecides or other pollutants, or unpolluted process water may be discharged upon application to and approval from the village to a storm drain or natural outlet.

(F) Industrial cooling water containing only such pollutants as insoluble oils or grease or other suspended solids shall be pretreated for removal of the pollutants and then discharged to the storm water.

(G) The owner or occupant of any premises within the village shall not use maintain, or permit the use of, therein or thereon, a toilet (permanent or portable) or drain that is a menace to the health or safety of individuals or public. The use of any sewer or drain not maintained so that sewage or sewage effluent shall flow into a road right-of-way, a ditch, a stream or storm sewer is prohibited. This malfunctioning drain shall not be used until the condition is corrected by repair or replacement to the satisfaction of the village.

(1957 Code, ' 25-007) (Ord. 8301, passed 3-15-1976; Ord. passed 7-18-1994) Penalty, see ' 53.99

' 53.07 PROHIBITED USES.

No person shall place or cause to be placed in any sewer any suffocating, corrosive, inflammable or explosive liquid, gas vapor or substance or material of any kind, or any oil or grease or product similar in substance, or any such waste from any garage, machine shop, storehouse, storeroom, salesroom, store, warehouse or premises.

(1957 Code, ' 25-008) (Ord. 8301, passed 3-15-1976) Penalty, see ' 53.99

' 53.08 COVERING SEWER, LIMITATION.

No person shall cover any sewer until a duly authorized agent of the village approves, in writing, the work as having been completed in compliance with the state laws and the provisions of this chapter.

(1957 Code, ' 25-009) (Ord. 8301, passed 3-15-1976) Penalty, see ' 53.99

' 53.09 HEALTH POWERS; ABATING NUISANCES.

Nothing contained in this chapter shall be construed as limiting in any manner the powers of the health officer, and if any unsanitary condition exists the same is hereby declared to be a public nuisance and shall be abated in accordance with the provisions of this chapter.

(1957 Code, ' 25-010) (Ord. 8301, passed 3-15-1976)

Shepherd - Public Works**' 53.10 PRIVATE DISPOSAL SYSTEMS; INSTALLATION.**

Whenever a sanitary sewer or combined sewer is not available, there shall be maintained a private disposal system which shall comply with all of the laws of the state and the County Board of Health. (1957 Code, ' 25-011) (Ord. 8301, passed 3-15-1976)

' 53.11 PRIVATE DISPOSAL SYSTEMS; DISCONTINUANCE.

At such time as a public sewer becomes available for connection to any property served by a private sewer disposal system, such private sewage disposal system shall be discontinued and abandoned and connection shall be made with the sewer intended to serve such premises on or before six months after sewer service is available. (1957 Code, ' 25-012) (Ord. 8301, passed 3-15-1976)

' 53.12 PRIVATE DISPOSAL SYSTEMS; PROHIBITED.

On site sewage disposal systems and private water wells are prohibited within the corporate limits of the village for new construction on individual lots and proposed subdivisions. The village shall extend public water, sanitary sewer and storm drainage systems to the frontage of any lot within the corporate limits of the village. The village shall extend public water, sanitary sewer and storm drainage systems to the site of any proposed subdivision within the corporate limits of the village. Beyond the frontage of the closest lot in a proposed subdivision within the corporate limits of the village to existing public water, sanitary sewers and storm drains; further extension of said utilities shall be at the expense of the owner or developer of the proposed subdivision. Such utilities shall be installed in order to serve each proposed lot with water, sanitary sewer and storm drain service lines located entirely within the frontage of each proposed lot unless otherwise provided for by the village.

' 53.99 PENALTY.

Fines for violations of this chapter shall be as set forth by the county. (1957 Code, " 25-007 and 25-013) (Ord. 8301, passed 3-15-1976; Ord. passed 7-18-1994)

CHAPTER 54: GARBAGE, BRUSH, RECYCLING

Section

- 54.01 Definition
- 54.02 Windblown material
- 54.03 Disposal
- 54.04 Rates, liens, exemptions
- 54.05 Limitation of amounts
- 54.06 Presumption
- 54.07 Brush pickup

- 54.99 Penalty

' 54.01 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

TRASH-GARBAGE, RECYCLE, BRUSH, LEAVES.

(1) ***BRUSH.*** Normal sticks and limbs which are the result of individual property owner trimming, or limbs and sticks blown from trees onto his or her property.

(2) ***LEAVES.*** Includes leaves which accumulate as a normal drop from trees.

(3) ***RECYCLABLES.*** Includes recyclable items such as newspaper, magazines, catalogs, boxboard, cardboard, brown bags, office paper, clear glass, brown glass, plastic bottles/jugs, aluminum and tin.

(4) ***TRASH-GARBAGE.*** Waste of normal household functions, disposal of smaller items normally accumulated from day to day residential activities. In no case shall ***TRASH-GARBAGE*** contain yard debris. Items placed in a container for pickup must be no longer than four feet.
(1957 Code, ' 35-051)

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' 54.02 WINDBLOWN MATERIAL.

It shall be unlawful to cause or permit to accumulate any trash, garbage, recyclables, brush or leaves on any individual=s property so that it might be blown or moved by any other force onto another person=s property; nor allow it to accumulate so as to become a nuisance to other property owners. (1957 Code, ' 35-052) Penalty, see ' 54.99

' 54.03 DISPOSAL.

(A) *Disposal of trash-garbage.* Village residents will have their trash-garbage items collected by a contractor chosen by the village. Residents will have collections done weekly as per scheduled agreed to by village and contractor. Material must be on curbside no later than 7:00 a.m. the scheduled day of collection. Trash containers shall not be at curbside more than 24 hours previous nor after scheduled pickups have been made.

(B) *Disposal of recycle.* Collection of recyclable material will occur every other week per a schedule agreed to by village and contractor. Collection containers shall be provided for each residence, but if items don=t fit or there is too much for the collection container, additional recyclables may be placed next to the collection container, provided that the items outside of collection container are secured to prevent items from being blown away by the wind and are covered to protect items from precipitation.

(1) Should a resident who has had a recycle collection container issued to them for use while a resident of the village misplace said container, the village will replace the container for a fee to be determined by the Village Council.

(2) It shall further be noted that if a resident who has had a recycle collection container issued to them for use while a resident of the village should move from the village, said recycle collection container must be returned to the Village Department of Public Works. Should the recycle collection container not be returned, a cost will be incurred by the property owner. This cost shall be determined by the Village Council.

(C) *Disposal of brush.* The Village Council shall schedule brush collection and notify residents of that schedule. The amount of brush allowable for removal and the manner in which brush is to be placed at the street for removal is determined by the village brush removal policy.

(D) *Disposal of leaves.* The Village Council shall schedule leaf removal and shall notify residents of that schedule. The leaves must be placed next to the street (but not in the street) so that they may be reached and removed by equipment and personnel. No sticks, brush or other foreign material may be in the leaves as it endangers personnel and causes damage to equipment. (1957 Code, ' 35-053) Penalty, see ' 54.99

Garbage, Brush, Recycling

' 54.04 RATES, LIENS, EXEMPTIONS.

(A) *Fees.* The fees for such collections shall be established by the Village Council and paid quarterly. All single-family residences and housekeeping units which are occupied by a senior citizen shall be invoiced at one-half the current rates. It shall be the responsibility of such senior citizen to notify the Village Clerk of his or her age status.

(B) *Billing.* The occupant of each residence or housekeeping unit shall be billed quarterly for the collection services. It shall be the responsibility of each occupant to advise the Village Clerk of his or her vacating the premises which have previously been billed in his or her name. It shall also be the responsibility of each new occupant to advise the Village Clerk of such new occupancy.

(C) *Delinquent charges, penalty.* Each occupant subject to the fee schedule shall be required to pay the stated fee within 30 days of billing. Failure to pay within that time shall subject the account to an additional fee of 10% for each 30 days of delinquency. Failure to pay before the next billing shall be grounds for refusal of further collection of trash, garbage, recycle, brush or leaves.

(D) *Unpaid charges; lien.*

(1) All unpaid charges for services furnished to each occupant subject to the fee schedule, which on March 1 of each year have been unpaid for a period of three months or more, shall be reported to the Council by the Village Clerk at the first Council meeting in March.

(2) The Council thereupon shall order the publication in a newspaper of general circulation in the village of a notice that all unpaid charges not paid by April 15 will be assessed upon the tax rolls against the property to which the services were supplied or furnished.

(3) Thereafter, if these charges remain unpaid by April 15, the Village Clerk shall cause to be recorded in the Treasurer's office of the village a sworn statement showing the amount due.

(4) The recording of such statement shall constitute a lien on the property and shall remain in full force and effect for the stated fee, plus the additional fees of 10% for each 30 days of delinquency until the final payment has been made and shall be collected in the same manner provided by law for the collection of ad valorem real property taxes.

(1957 Code, ' 35-054) Penalty, see ' 54.99

' 54.05 LIMITATION OF AMOUNTS.

The limit of trash-garbage shall be two 96-gallon provided containers or the equivalent thereof. However, in no case shall the containers of these items weigh in excess of 50 pounds.

(1957 Code, ' 35-055)

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' 54.06 PRESUMPTION.

The fact that trash, garbage, recycle, brush or leaves remain on any occupant=s premises in the village in violation of this chapter shall be prima facie evidence that the occupant of such premises is responsible for the violation of this chapter.

(1957 Code, ' 35-057) Penalty, see ' 54.99

' 54.07 BRUSH PICKUP.

(A) The village=s brush program operates April through October. Brush removal is on the first and third Thursdays of those months.

(B) Brush for scheduled removal must be at the street no later than 7:00 a.m. on the scheduled day of removal. Brush shall not be placed within the right-of-way until five days prior to scheduled removal date.

(C) Brush must be neatly piled with the butt ends of the branches facing the street. Brush only-grass clippings, leaves, stumps, roots, weeds, vines, flowers, wire or other foreign materials are not permitted. Limbs cannot exceed six inches in diameter.

(D) Village ordinance provides that brush placed at the street shall not obstruct village sidewalks, right-of-way or view of traffic.

(E) Brush removal is subject to inclement weather conditions, the volume of brush to be removed and other obligations the village crew may have. The volume of the brush pile placed at the street must not exceed 15 feet long by four feet high. If brush scheduled for removal has not been removed by 4:00 p.m. the following Thursday, one shall contact Public Works at (989) 828-5062.

(F) If a resident has more than the allowed amount of material he or she may contract with the village to chip the excess brush. This must be done prior to brush chipping day so the DPW can plan for the extra work. The village rate is \$80 per hour. The village will bill the resident for this service at the stated hourly rate after the service is provided. Prior to the village providing this service, the resident must sign an agreement to pay the village at the stated hourly rate.

(G) Residents may obtain the agreement form Monday through Friday, 8:00 a.m. to 4:00 p.m. at the Department of Public Works, 208 W Boulevard, Shepherd MI 48883 or 8:30 to 4:30 p.m. at the Village Clerk=s Office, 251W Wright Avenue, Shepherd MI 48883.

(H) Residents are encouraged to read and follow the guidelines as set forth above. Failure to comply with the guidelines and restrictions of the program will result in the property owner/resident

Garbage, Brush, Recycling

being held responsible for removing brush from the public right-of-way in a timely manner.

(I) If a person has any questions or comments, he or she shall contact the Department of Public Works at (989) 828-5062, hours 7:00 a.m. to 4:00 p.m. or the Village Clerk at (989) 828-5278, hours 8:30 a.m. to 4:30 p.m.

(J) Commercial disposal services: see the Yellow Pages under Atree service.@
(Ord. passed - -)

' 54.99 PENALTY.

Fines for violations of this chapter shall be as set forth by the county.
(1957 Code, ' 35-056)

Shepherd - Public Works