

VILLAGE OF PELLSTON – ORDINANCE #60
MUNICIPAL WATER SYSTEM

ARTICLE I. WATER

DIVISION 1. GENERAL

Sec. 1000 Origination of Village Community Water System.

In December of 2025, the Village received funding in the form of grant dollars from the State of Michigan’s Department of Environment, Great Lakes, and Energy (EGLE) to design and construct a community water system to be owned and operated by the Village of Pellston. The system will provide safe reliable drinking water to residential and commercial areas within the Village limits and potential township properties.

The new community water system will consist of a water treatment site with well field, transmission main, distribution system, water tower, and new water services and well abandonments.

The new system will be designed by May 2026 with construction beginning in fall of 2026. Construction is expected to last approximately three years. Most aspects of the work will be completed at no cost to the property owner during the project. The Village will need to know in advance of construction on whether a property owner will connect to the community water system as otherwise those connection costs and service line installations will no longer be covered under the grant and will be responsibility of property owner.

A requirement of the EGLE funding is that if a property owner connects to the community water system, then their existing well **MUST** be abandoned. Also, the Health Department of Northwest Michigan (HDNW) will not permit future wells or replacement wells (if the existing well fails) if the property can connect to the community water system.

Sec. 1001 Supervision, management of system and system appurtenances

The construction, alteration, repair and management of the water supply system of the Village shall be under the supervision and control of the Village council. The council may make such rules, orders, fee schedules and regulations as it deems advisable and necessary to assure the efficient management and operation of the system.

The Village Treasurer shall receive and take charge of all money collected from the water bills and such other revenues as shall be derived from this article and shall deposit such revenues in a manner approved by the council. All revenues of the system shall be set aside and paid or transferred into the funds of the system, as provided in this article.

Rates and charges shall be billed and collected quarterly or more often as determined by resolution of the council. Failure to receive a bill shall not excuse failure to pay the bill when due. Bills shall be due and payable without discount at such times as the council shall determine, but not more than 30 days after

rendered, and such due date shall be indicated on the face of each bill. If any bill is not paid when due, then a compounding penalty of three percent shall be added thereto.

Water system appurtenances

The hydrants, mains, connections, services, curb stops, valves, pumps, tanks, pipes and meters shall be the property of the Village and under its exclusive control, and all persons other than agents and employees of the Village are forbidden to disturb, tap, change, obstruct access to or interfere with them in any way. Water services or pipes, exclusive of the meter, serving a structure beyond the curb stop shall not be the property or the responsibility of the Village. The water supply pipe from the main to the curbed stop shall be maintained by the Village. The service pipe from the curb stop to the premises shall be considered private plumbing and shall be maintained by the owner of the premises. Failure to keep the service line in good repair will result in discontinuing the service. Meter pits should not be allowed due to freezing issues and sources of leaks.

Pipes, equipment, meters and appurtenances connecting to the water system shall be made of materials and constructed and installed in accordance with the requirements of the County Plumbing Code, engineering standards created during the initial community water system project (Year 2026) and shall also comply with the following:

- 1) All supply and service pipes shall be of type "K" copper of a size and quality as approved by the system. All fittings and connections underground shall be approved by the system.
- 2) All service pipes must be laid with a minimum of seven feet of cover, said lines to be inspected before backfilled by an inspector from the Village. No new connection will be made until written approval from the Village inspector is given to the system.
- 3) A separate gate valve, the same size of the meter connections, shall be placed on the service pipes on both sides of the meter. Such valves shall be equal in quality to the service cock. All premises using water shall be metered, and payment shall be made for water at rates as set by resolution of Village council. Meters shall be set in an accessible location and in a manner satisfactory to the Village. Where it is absolutely necessary to set the meter in a pit, such pit shall be built at the expense of the owner as directed by the Village in a warm area from any outside exposure and not in a crawl space.. A meter must not be located more than 4 feet from ground level in height and shall be a minimum of 2 feet from the ground. The owner or occupant of the premises where a meter is installed will be held responsible for its care and protection from freezing and from interference by any person or persons. Payment for a frozen meter is the responsibility of the homeowner at the current cost of the meter. Any cost for programming and labor for the replacement is the responsibility of the homeowner. In case of injury to the meter or in case of its stoppage or imperfect operation, the owner or occupant of the premises shall give immediate notice to the Village. All water furnished by the Village and used on any premises must pass through the meter. Meters will be sealed by the Village. No one except an authorized employee of the Village may break or injure such seals. No person other than an authorized employee of the Village may change the location of, alter or interfere in any way with the meter. The Village authorized agents shall have free access at all reasonable hours to inspect any premises supplied with water. No person shall refuse to admit authorized agents of the Village to any premises for such purposes. In case any authorized agents of the Village be refused admittance or is

in any way hindered in making the necessary inspection or examination, the water may be turned off from such premises after giving 24 hours notice to the owner or occupant thereof.

4) No supply pipe of less than 1 inch diameter will be permitted. Supply pipe size shall be approved by the water of the Village.

Fire hydrants.

Only representatives of the Village water department or fire department are allowed to open or connect any device to the hydrant. Only fire departments personnel are allowed to connect directly to the Village fire hydrants with hoses.

The Village must approve the type, size of openings and types of nozzle thread in all hydrants installed.

No person, firm or corporation shall in any manner obstruct or prevent free access to or place or store temporarily or otherwise any object, material, snow, debris, automobile or structure of any kind within a distance of 20 feet of any hydrant. Any such obstruction when discovered may be removed by the Village at the expense of the person, firm or corporation responsible for the obstruction.

Hydrants are located within the road right-of-way or easement, and any person, firm or corporation desiring to have a hydrant moved to another location shall bear the complete cost of moving said hydrant.

Where pipes have been provided for fire protection on any premises where hose connections for fire apparatus are provided on any pipes, such connection or opening on said pipe shall have not less than 25 feet of fire hose constantly attached thereto, and no water shall be taken or used through such openings or hose for any purpose other than for extinguishing fires except for the purpose of testing said fire equipment. In such case, the test must be conducted under a special permit and under the supervision of the water system.

Fire service lines. All fire service lines shall conform to the standards determined by the Village, as well as the Pellston Fire Department. Any fire hydrant that is out of service will be reported to the Pellston Fire Department and will be marked.

All service connections, except separate fire connections, shall be metered and shall pay for water at the rate established by the council. In no case will water be supplied, except for temporary use with water system approval, at other than the established water rate. Any fire suppression system install within the Village's water system will notify the Fire Department and the Village Water system of any testing of the device. Also if the device is out of service for any reason the Village Fire Department and Water system will be notified.

Meters

Required of all users.

All premises using water shall be metered and all Village water used in any premises where a meter is installed must pass through the meter. Meters shall be placed in an accessible location in a manner approved by the Village.

Where the location of a meter presents an unusual problem, the meter shall be located as directed by the Village. The charge for installation of all meters shall be no less than the actual cost of installation as determined by the Village and shall be charged to the owner of the premises.

Access

Any qualified employee of the Village shall, at reasonable hours, have the right to enter upon a customer's premises where meters are installed for the purpose of reading, testing, removing or inspecting the same, and no person shall hinder, obstruct or interfere with such employee in the lawful discharge of his duties in relation to the care and maintenance of such water meter. Any water meter which has not been read due to the meter reader being refused entrance for more than two quarters will subject the customer to turn off of their water by the Village. It shall be the responsibility of the customer to arrange for a time to read the meter if remote is not available.

Failure

If any meter shall fail to register properly, the Village shall estimate the consumption of water on the basis of former consumption and bill the customer accordingly.

Accuracy of meter

A customer may request that a meter be tested. If the meter is found accurate, a charge will be made as prescribed by resolution of the council. If the meter is found to be inaccurate and/or defective, it shall be repaired or an accurate meter installed, and no charge shall be made to the customer.

A meter shall be considered accurate if, when tested, it registers not to exceed five percent more or five percent less than the actual quantity of water passing through it. If a meter registers in excess of five percent more than the actual quantity of water passing through it, it shall be considered "fast" to that extent. If a meter registers in excess of five percent less than the actual quantity of water passing through it, it shall be considered "slow" to that extent.

If a meter has been tested at the request of a customer and shall have been determined to register "fast," the Village shall credit the customer with a sum equal to the percent "fast" multiplied by the amount of all bills incurred by that customer within three months prior to the test. If a meter so tested is determined to register "slow," the Village may collect from the customer a sum equal to the percent "slow" multiplied by the amount of all bills incurred by that customer for the previous three months. When the Village of public works, on its own initiative, makes a test of a water meter, it shall be done without cost to the customer, other than his paying the amount due the Village for water used by him or her, as above provided, if the meter is found to be "slow."

Sec. 1002 Ownership of water service.

The Village shall own the water supply system of the Village including the water main, hydrants, valves and appurtenances up to the curb stop placed near the property limits of each parcel or Public Right of Way line or Public Easement limits. At the point where a water service leaves the curb stop, the water service is considered to be owned by the private property owner and shall be maintained or replaced at the private property owner's cost. The meter is owned by the Village.

Sec. 1003. Water connections.

(1) Before any connection is made to the Village water system, a fee shall be paid to the Village treasurer. During the initial construction of the system mentioned on page 1, there will be no connection charge as long as homeowner provides a signed agreement within the timeframe required by Village. After the initial water system construction has completed, the homeowner shall pay for the connection to the Village water system, the cost of labor and materials incurred shall be paid to the Village treasurer before water service is turned on. The connection charge for a fire suppression system shall be equal to the connection charge for one unit per inch of connection with no other additional fees. The maintenance of such line is the property owner's responsibility from the valve at the street into the property.

(2) The Village water connection fee shall be deposited into an account designated for water capital improvements.

(3) The cost of replacing sidewalks, curb and gutter, or streets, necessitated by any water connection, shall be borne by the property owners who requested the service.

Sec. 1004. Enforcement.

(1) Charges for water services shall constitute a lien on the property served. On or before March 1 of each year, the officer in charge of collecting such charges shall deliver to the tax assessing officer of the Village a certified statement of all water charges then six months past due and unpaid. The tax assessing officer shall then place such charges on the next general tax roll and the same shall be collected as part of the general Village taxes.

(2) The Village shall have the right to shut off and discontinue the supply of water to any premises for the nonpayment thereof when due of the water rates and charges. Such service shall be shut off in those cases where bills are unpaid for 30 days or more from the date of billing. In such case, a turn-on charge shall be collected in addition to the amount of the delinquent bill before the water service is turned on.

(3) No unauthorized person shall be permitted to make connections to the Village water supply system. The Village shall be authorized to make inspections of premises in the Village at reasonable times to see that no unauthorized connections are made to the system.

Sec. 1006. Free service is prohibited.

No free service shall be furnished by the water supply system to any person, firm or corporation, public or private, or to any public agency or instrumentality. All premises served with Village water shall be metered. Duly authorized employees of the Village shall have access to meters during normal business hours.

Sec. 1007. User Charges.

All water service shall be charged for on the basis of water consumed as determined by the meter installed on the premises of water customers by the Village. In addition, the customer shall pay a unit factor charge and/or rate and/or other similar charges as established by resolution of the council. No free water service shall be furnished to any person.

The rates to be charged for water service and the intervals at which customers shall be billed shall be determined by resolution of the council. Charges for water services to premises outside the Village shall be determined by resolution of council, but shall not be less than those charged for such services to premises within the Village.

Unpaid charges for water service furnished to any premises within the Village shall be a lien against the property and premises. In addition, an administrative fee in an amount to be established by resolution of the council, said fee to cover costs of recording and other associated costs of the Village with respect to the unpaid charges for water service shall also be a lien against the premises. Enforcement of these liens shall be made pursuant to this Code and/or statutes and may include a personal action against any person liable therefor. This lien remedy does not preclude any other remedy provided by law. Those premises outside the Village that are served by the water system that have delinquent bills will be certified to their governmental unit for collection as provided in the contract between the Village and the governmental unit.

Sec. 1008. Damaging water meters.

(1) No person, corporation, partnership, or other legal entity shall tamper with damage, render inoperable or cause or allow to be caused any damage whatsoever to any water meter situated in the Village.

(2) No person, corporation, partnership, or other legal entity shall knowingly allow any water meter to remain in a damaged or inoperable condition. Any damage or inoperable condition will be pursued by civil and/or criminal charges. Any person, corporation, partnership or other legal entity that is aware of a damaged or inoperable meter shall inform the Village by calling the Village offices from 9:00 a.m. to 5:00 p.m., Monday through Friday.

DIVISION 2. WATER CROSS-CONNECTION CONTROL

Sec. 2001. Definitions.

The following words and phrases when used in their division, shall have the meanings respectively ascribed to them:

Backflow means water of questionable quality, wastes or other contaminants entering a public water supply system due to reversal of flow.

Cross-connection means a connection or arrangement of piping or appurtenances through which a backflow could occur.

Unprotected cross-connection means a cross connection between a potable and non-potable system where inadequate methods are provided to prevent backflow.

Habitable building or structure means any building or structure, or part thereof, suitable for occupancy.

Secondary water supply means a water supply system maintained in addition to a public water supply.

Sec. 2002. Adoption of state rules.

The Village hereby adopts by reference the Water Supply Cross Connection Rules of the Michigan Village of Environment, Great Lakes and Energy, being R 325.11401 to R 325.11407 of the Michigan Administrative Code.

Sec. 2003. Inspections of properties.

It shall be the duty of the Village to cause inspections to be made of all properties served by the public water supply system where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspection based on potential health hazards involved shall be as established by the Village as approved by the State of Michigan Department of Environment, Great Lakes and Energy.

Sec. 2004. Access to premises, information.

A duly authorized representative of the Village shall have the right to enter at any reasonable time any property served, or reasonably suspected to be served through a cross-connection, by the connection to the public water supply system of the Village for the purpose of inspecting the piping system or systems thereof, including, but not limited to, secondary water supply systems, for cross connections. 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. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

Sec. 2005. Correction of violations.

(1) The Village water is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of their division exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection has been eliminated in compliance with the provisions of their division.

(2) Any person found guilty of violating any of the provisions of their division or any written order issued thereunder, shall be responsible for a municipal civil infraction. Increased civil fines shall be imposed for repeated violations, which means a subsequent municipal civil infraction violation committed by a person within any 12-month period and for which a person admits responsibility or is determined to be responsible.

In addition to the municipal civil infraction, the Village reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate civil proceedings to prevent, enjoin, abate, or remove any violation of their ordinance.

Sec. 2006. Protection from contamination.

The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by their division and by the state and Village plumbing code. Any secondary water supply system which is not supplied by the Village's public potable system must be labeled in a conspicuous manner as: "WATER UNSAFE FOR DRINKING."

Sec. 2007. Prohibited connections.

(1) The owner(s) of all structures required to install, construct, dig, maintain, use or operate a potable water supply, which is installed, constructed, dug, maintained, used or operated, after the effective date of their section, shall connect to the Village potable water system and shall be prohibited from installing, constructing, digging, maintaining, using or operating a secondary water supply. All excavations contractors must be preapproved by the Village. The Village will supply a list of pre-approved contractors to customers.

(2) A temporary or permanent unprotected cross connection between a public water supply system and any source, piping, or system that may contain nonpotable water or other substances is prohibited.

(3) Piping configurations creating the potential for water from a public distribution system to flow through a private water main or customer system piping and back into the public system are prohibited.

Sec. 2008. Secondary water supply system permits.

(1) No person shall install, construct, dig, maintain, use or operate a secondary water supply system within the Village of Pellston at the time they connect to the public water supply system.

(2) The operation of a secondary water supply system in violation of their section is hereby declared a public nuisance per se, and may be abated by order of any court of competent jurisdiction, requiring such actions as may be necessary to abate the nuisance.

Sec. 2009. Cross connection control plan and testing.

(1) A cross-connection control plan shall be adopted by the Village and shall be submitted to the Department of Environment, Great Lakes and Energy for review and approval. When the plan is approved, the Village water shall implement the program for removal of all existing cross connections and prevention of all future cross connections. All connection testers must be pre-approved to work on any cross connection device.

(2) That all testable backflow prevention assemblies shall be tested initially upon installation relocation and/or repair to be sure that the assembly is working properly. Subsequent testing of assemblies shall be on an annual basis or as required by the Village of Pellston Cross Connection Control Plan and in accordance with Michigan Department of Environment, Great Lakes and Energy requirements. Only individuals that hold an active ASSE 5110 tester's certification shall be qualified to perform such testing. That individual(s) shall certify the results of their testing.

DIVISION 3. WATER SUPPLY EMERGENCY

Sec. 3001. Conditions; declaration; notification.

A water supply emergency shall be deemed to exist whenever the Village president or their designee finds on the basis of drought conditions, depletion of water supply, reduction in water pressure or other reasons

that there is a threat of loss of water supply to the community or a portion of the community, and causes a declaration of such emergency to be made public through announcements over radio and/or television stations with a normal operating range covering the Village; provided that the Village president or their designee shall first provide notification to the Village council of the intention to declare a water supply emergency.

Sec. 3002. Maintenance of records; contents.

A record of the time, date, reason for emergency and media contacted shall be made and maintained whenever a water supply emergency is declared. The records maintained shall also indicate the time and date when a water supply emergency is ended.

Sec. 3003. Existence of water supply emergency irrespective of broadcast notification.

A water supply emergency shall be deemed to exist irrespective of whether broadcast notification is provided as to persons otherwise provided with direct notice of such a water supply emergency.

Sec. 3004. Prohibited acts during water supply emergency.

During a water supply emergency, it shall be unlawful for any person to utilize water from the Village water supply system for any type of outdoor use, other than responding to a fire emergency. The prohibition shall remain in effect 24 hours per day, seven days per week until the water supply emergency is declared ended by the Village president, their designee, or the Village council. The Village council may provide for a more limited prohibition when they determine that such a limited prohibition will be sufficient to protect the Village of the water supply system. The terms of such a limited prohibition shall be made a part of the emergency declaration. The Village president may provide exceptions to the prohibition of their section where necessary to prevent imminent financial loss to a water user.

Sec. 3005. Penalties for violation.

Any person who violates any provision of their division shall be turned over for criminal charges and/or civil claims.

Article I. Water Ordinance adopted by the Village of Pellston on Monday, April 13, 2026

Certified by Clerk, Rebecca O'Neil on Monday, April 13, 2026