

**CITY OF LUNA PIER
ORDINANCE 197**

ORDINANCE TO ESTABLISH FEES AND CHARGES AND REGULATIONS FOR THE
CITY SANITARY SEWER SYSTEM

The City of Luna Pier ordains:

Section 1. Purpose.

The City of Luna Pier determines that the public sanitary sewer system is essential to the health, safety and welfare of the people of the City of Luna Pier and that the costs of operating and maintaining the system should be fairly and equitably borne by those using the system, and that a method to establish user charges is necessary.

Section 2. Repeal.

The City of Luna Pier hereby repeals Section 3 of Ordinance Number 67.

Section 3. Fees and charges.

- A. Owners of a property connected to the public sanitary sewer system shall pay annual sewer fees consisting of the applicable fixed-rate charge and the volume charge established by the City for such property.
- B. The fixed-rate charges shall be determined by the size of the water meter serving the property, in an amount periodically established by resolution of the City Council.
- C. The volume charge shall be based on the amount of water measured by the water meter, and calculated at a rate periodically established by resolution of the City Council.
- D. For wastewater customers whose water is not measured by a meter, or is partially measured by a meter, the fixed-rate charge and the volume charge shall be based on methods periodically established by the City Council, and calculated at the same rate as metered customers.
- E. The usage fees required by this ordinance are in addition to the fees required for connections and permits and other fees required by Ordinance Number 176 and any other ordinances by the City of Luna Pier or the County of Monroe, and the laws of the State of Michigan.

Section 4. Due date and interest charges.

The City of Luna Pier or its agent shall issue a quarterly statement of the actual or estimated charges for each property, based on the charges described in Section 3. The statement shall be paid in full by the 30th day after it is issued. If the due date is on a Saturday, Sunday or Legal Holiday, the payment shall be due the next business day.

Section 5. Late fees.

A late payment charge of ten percent (10%) shall be assessed on any unpaid balance remaining more than 7 days after the due date. In addition, interest shall be charged on any unpaid balance at the rate of 1 percent per month, 12% per year.

Section 6. Liens and foreclosure.

Any fees or charges that are more than one year in arrears, plus accrued interest thereon, shall become a lien on the property and such balance shall be included in the next City tax bill. Such lien may be recorded with the county register of deeds and may be collected in the same manner as the City collects delinquent taxes. In addition, the City may initiate suit to collect the amounts due and may initiate foreclosure proceedings against the property in accordance with applicable statutes and ordinances for the purpose of collecting such amounts due. These remedies do not preclude any other remedy provided by law.

Section 7. Validity.

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part of parts.

Section 8. Effective Date.

This Ordinance shall become effective twenty (20) days after final passage and publication.

I hereby certify that this ordinance was passed at a special meeting of the City Council of the City of Luna Pier, Michigan held on Wednesday, the 15th day of November, 2006

P. Michelle Cureton, City Clerk

Published: November 20, 2006
Effective Date: December 10, 2006