



City of Utica

7550 AUBURN ROAD, UTICA, MICHIGAN 48317-5279
(586) 739-1600 • FAX (586) 739-2867

AREA MAINTENANCE METERS

The City of Utica has available to its residents on metered municipal water, an Area Maintenance Meter. This meter, when purchased by the residents, will allow them to use water for outside watering purposes without being assessed a sewer charge. Before purchasing, you should review Ordinance 113 A as there is no guarantee that the meter and reduced rates will always be available.

Before a meter can be purchased, an Area Maintenance Meter Agreement must be entered into between the property owners of record and the City of Utica. Prior to signing the agreement, the City must be provided with **proof of ownership of the land** by:

1. Warranty Deed (as recorded at Macomb County Register of Deeds Office, including Liber and Page number) or ,
2. Title Insurance Policy (This must be the actual policy, NOT THE COMMITMENT FOR TITLE INSURANCE ISSUED AT CLOSING).

All parties listed on the Deed or Title Policy must enter into the Agreement. Their signatures must be witnessed and notarized in the City Offices. The agreement will be recorded for your property. Payment for the Area Maintenance Meter will be accepted only upon completion of the Agreement by all parties.

The price schedule is:

Amended by Resolution 3/14/2000

Meter (5/8")	\$ 220.00
Meter (3/4")	\$ 240.00
Meter (1")	\$ 280.00
Meter (1.5")	\$ 540.00
Meter (larger than 1")	By quote
Plumbing permit (RPZ Backflow Preventer)	\$ 60.00 (minimum)
First Inspection Fee	\$ 35.00
Subsequent Inspection Fees	\$ 20.00
Remote	\$ 100.00
Template Deposit	\$ 100.00

An inspection of the plumbing and template installation for the Area Maintenance Meter will be required before a meter will be installed. This inspection can be scheduled upon receipt of a call from the property owner to the Department of Public Works at (586)731-6110 when he/she is ready for same. If the owner or another adult is not present or not at home at the scheduled inspection time, a re-inspection charge of \$20.00 will be levied. The re-inspection fee of \$20.00 must be paid at the City Administration Office (City Hall) prior to rescheduling the inspection.

Once an inspection has been approved, the homeowner must call the Department of Public Works for the scheduling of the meter installation. Meter installation will be scheduled by appointment at the first available time.

We require 24 hours notice for an inspection appointment. Also, 24 hour notice is required for any cancellation on the part of the homeowner, either for inspection or installation. PLEASE ALLOW 3 TO 5 DAYS FOR THE METER TO BE INSTALLED. Any questions relative to Area Maintenance Meters should be directed to the Department of Public Works at (586)731-6110.

ORDINANCE 113 A
AN ORDINANCE TO AMEND ORDINANCE 113

AN ORDINANCE TO PROVIDE FOR WATER USE FOR AREA MAINTENANCE, TO PROVIDE FOR PROCEDURES TO INSTALL AREA MAINTENANCE METERS, TO PROVIDE FOR PENALTIES FOR VIOLATIONS THEREOF, TO PROVIDE FOR THE DECLARATIONS AND ENFORCEMENT OF WATER EMERGENCIES.

THE CITY OF UTICA ORDAINS:

Section 1. DEFINITIONS

- A. **AREA MAINTENANCE** means uses for water outside of a building or structure that:
- (1) does not deposit said water into a sanitary system by other than accidental absorption; and
 - (2) is generally and traditionally associated with uses such as:
 - (a) watering lawns
 - (b) cleaning outside structures
 - (c) washing automobiles and other personal property; and
 - (3) is used solely upon and at the property where the Area Maintenance Meter is located.
- B. **WATER EMERGENCY** means a shortage, or threatened shortage, of water supplies whereby uses of water for area maintenance would, or could, jeopardize adequate water supplies for human use and consumption for everyday residential use.
- C. Definitions of Ordinance 39 and Ordinance 60 are adopted herein by reference.

Section 2. AREA MAINTENANCE

The owner of any premises using metered water may upon application, pre-inspection, signing an agreement as provided for herein, obtaining a permit, and paying such fees as required by a Resolution of the Utica City Council, install a separate water meter for metering the use of water for area maintenance.

Section 3. INSTALLATION

- A. **COST** – The cost of the Area Maintenance Meter and its installation shall be paid by the property owner.
- B. **CONNECTIONS** – The Area Maintenance Meter shall be connected on the water line coming into the building from the public water supply immediately before the regular meter for the premises. Only lines approved by the City Water Department shall be connected at the Area Maintenance Meter. There shall be no connections, or use of water directly from the Area Maintenance Meter, for other than approved outdoor area maintenance.
- C. **AGREEMENT** – An owner shall enter into an agreement with the City of Utica before receiving a permit for an Area Maintenance Meter. The agreement shall conform to Exhibit A. attached, or as it is modified by resolution. Proof of ownership of the subject property shall be required prior to any approval. The Superintendent of Public Works, Building Inspector or City Clerk is authorized to execute said agreement on behalf of the City.

Section 4. CHARGES

- A. **RATE** – The charge for water billed through an Area Maintenance Meter shall be the same rate charged for all water usage in the City, however, no sewer charge or sewer surcharge shall be added thereto.
- B. **TIME** – Charges shall be billed and paid semi-annually.
- C. **PENALTY** – A penalty of ten (10%) percent shall be added to any bill not paid within 30 days.
- D. **LIEN** – charges shall constitute a lien upon the property as provided in Ordinance 39 and Ordinance 60.

Section 5. RIGHT OF ENTRY

The Water Department and the Building Department shall, at any reasonable hour, have the right to enter any building wherein there is an Area Maintenance Meter to inspect the meter and piping system to see that there are no violations respecting the Area Maintenance Meter. The refusal of entry, upon request, shall be a violation of this Ordinance subjecting the person and property to the sanctions of Section 6.

Section 6. VIOLATIONS

- A. **MISDEMEANOR** – A violation of this ordinance shall constitute a misdemeanor punishable by 90 days in the County Jail, or a fine of \$500.00 or both.
- B. Upon there appearing to be a violation of the provisions of this ordinance the City may, at its option, do any or all of the following:
 - (1) disconnect the Area Maintenance Meter;
 - (2) suspend water service to the premises;
 - (3) add sewer charge and, if applicable, surcharge for water used by the Area Maintenance Meter;
 - (4) institute court proceedings;
 - (5) assess actual costs necessary to enforce this ordinance, including legal fees associated with court action.

Section 7. WATER EMERGENCY

A. **DECLARATION**

The Mayor, upon good cause and a reasonable belief that the facts and circumstances exist to constitute a water emergency shall declare a water emergency. The declaration of emergency shall expire within 35 days unless extended by the City Council.

B. **PROHIBITION**

No water may be used for area maintenance, whether metered through a regular or Area Maintenance Meter, during a declared water emergency.

C. **PENALTY**

A violation of this section is subject to the sanctions of Section 6.

Section 8. OTHER ORDINANCE

This ordinance is intended to supplement other ordinances for water and sewer and shall be interpreted to reconcile any differences in lieu of invalidating other ordinances or provisions thereof.

Section 9. EFFECTIVE DATE

This ordinance shall take immediate effect upon publication, Notice of Adoption and posting.

Adopted at a Regular Meeting of the City Council held on **November 14, 1995.**

M. Catherine McGrail

M. CATHERINE McGRAIL, Clerk

ATTEST:

Jacqueline K. Noonan

JACQUELINE K. NOONAN, Mayor

NOTICE OF ADOPTION OF ORDINANCE 113A

Please take notice that on November 14, 1995, the Council for the City of Utica Adopted Ordinance 113A, known as An Ordinance to Provide for Water Use for Area Maintenance, to Provide for Procedures to Install Area Maintenance Meters, to Provide For Penalties for Violations Thereof, to Provide for the Declaration and Enforcement of Water Emergencies. The purpose of the ordinance is to provide for specially metered water for outside usage only and to impose sanctions and penalties for violations.

A copy of the ordinance may be inspected or obtained at the office of the **City Clerk, 7550 Auburn Road, Utica, Michigan 48317.**

DATE: November 14, 1995

**M. Catherine McGrail
CITY OF UTICA
City Clerk**

Publish one time
November 19, 1995

AREA MAINTENANCE METER AGREEMENT

We (I), _____ represent we are (I am) the owner(s) of the property located at _____ in the City of Utica, County of Macomb, State of Michigan.

WHEREAS, The City has available for water customers the right to install an Area Maintenance Meter for purposes of watering lawns, etc., without a sewer rate being charged, so long as there is compliance with the Ordinances of the City and an agreement is entered into recognizing certain obligations concerning the meter.

NOW THEREFORE, the parties hereto agree:

1. Owner is hereby requesting the City to be allowed to install an Area Maintenance Meter as described and provided for in the Ordinances of the City of Utica, being Ordinance No. 113A as a special meter for watering lawns, etc., without a sewer rate being charged.
2. Owner hereby obligates himself that he will not make any connections, other than approved by the City to the Area Maintenance Meter and will not use the water being metered only by the Area Maintenance Meter for other than authorized and allowed area maintenance. He shall not use it for any other purpose.
3. Owner shall allow entry by the City or its authorized agents or Representatives at any reasonable hour to inspect the Area Maintenance Meter and piping systems. Owner agrees that any refusal of entry shall constitute a violation of said Ordinance.
4. Owner agrees that upon there being evidence of a violation of the Area Maintenance Ordinance, the City may, at its option, do any or all of the following:
 - a. Disconnect the Area Maintenance Meter.
 - b. Suspend water service to the premises.
 - c. Add a sewer charge and, if applicable, surcharge for water used by the Area Maintenance Meter.
 - d. Institute court proceedings.
 - e. Assess actual costs necessary to enforce this ordinance, including legal fees associated with court action.
5. In consideration of the promises of Owner as set forth herein, and upon compliance with the Ordinances of the City of Utica, the City shall allow Owner the use of the Area Maintenance Meter, being _____ size meter.
6. Upon any refusal to disconnect the Area Maintenance Meter upon request as set for in Paragraph 4, the City may refuse to supply water to the above-described premises, without prior court approval.
7. The Owner (s) acknowledge and agree that the City will not be liable to Owners in any way for the lack of use of the Area Maintenance Meter should a water emergency be declared or Ordinance No. 113A is modified or rescinded.
8. Owner (s) agrees this Agreement may be recorded in the Register of Deeds for the County of Macomb.
9. This Agreement shall be binding upon a run with the land, and shall inure to the benefit of and be an obligation upon the parties hereto, their successors and assignees.

WITNESSETH:

OWNERS:

CITY OFFICIAL SIGNATURE:

AREA MAINTENANCE METER TEMPLATE DEPOSIT

DATE _____

THIS CERTIFICES THAT _____ HAS ON DEPOSIT, AT THE
(Contractor or Owner)

CITY CLERK'S OFFICE, THE SUM OF \$100.00 TO ASSURE THE RETURN OF TEMPLATE(S) SIZE _____

FOR INSTALLATION AT _____
(Location)

THIS AMOUNT WILL BE REFUNDED IN FULL UPON RETURN OF THE AREA MAINTENANCE METER TEMPLATE.

(Contractor or Owner)

(City Representative)

TYPICAL AREA MAINTENANCE METER INSTALLATION

Pipes before the meter must be copper or brass.

Sweat Fittings shall not be allowed before either meter.

