

25.100

**WATER BILLS; COLLECTION
VILLAGE OF SHEPHERD, MICHIGAN
ord. no. 7601 eff. Mar. 14, 1966**

An Ordinance to provide for the creation of a lien against the property to which water has been provided from the municipally owned water supply system; to provide for the enforcement of said lien by adding the charges to the tax roll; to provide for the discontinuance of service to premises on which water charges have not been paid; and to provide for institution of suit to collect overdue water charges.

THE VILLAGE OF SHEPHERD ORDAINS:

25.101

Sec. 1. LIEN CREATED.

The Village of Shepherd 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 of Shepherd, 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 immedi-

Village of Shepherd Ordinance-1999

ately upon the distribution of the water to the premises or property supplied as aforesaid but shall not be enforceable for more than three (3) years thereafter.
(ord. no. 7601 eff. Mar. 14, 1966)

25.102 Sec. 2. ENFORCEMENT OF LIEN.

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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.
(ord. no. 7601 eff. Mar. 14, 1966)

25.103 Sec. 3. NOTICE OF PENDENCY OF LIEN.

The official records of the officer, board, commission or department of the Village of Shepherd having charge of the water distribution system shall constitute notice of the pendency of said lien.
(ord. no. 7601 eff. Mar. 14, 1966)

25.104 Sec. 4. PRIORITY OF LIEN.

The lien hereinbefore created shall, from and after the passage of this Ordinance, 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 Ordinance 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.
(ord. no. 7601 eff. Mar. 14, 1966)

25.105 Sec. 5. DISCONTINUING SERVICE; SUIT FOR COLLECTION.

The Village of Shepherd may discontinue water service from the premises against which the above lien has accrued whenever any person shall fail to pay the rates, assessments, charges or rentals herein referred to, or may institute suit for the collection of the same in any Court of competent jurisdiction, but not attempt to collect such water rates, assessments, charges or rentals by any process, shall in any way invalidate or waive the lien, upon the premises.
(ord. no. 7601 eff. Mar. 14, 1966)

25.106 Sec. 6. PERSON DEFINED.

The word "person" as used in this Ordinance 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.
(ord. no. 7601 eff. Mar. 14, 1966)

25.107 Sec. 7. CONSTRUCTION OF ORDINANCE.

This Ordinance 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.
(ord. no. 7601 eff. Mar. 14, 1966)

Village of Shepherd Ordinance-1999

25.108

Sec. 8. VALIDITY.

If any section, paragraph, clause or provisions of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provisions shall not affect any of the other provisions of this Ordinance.
(ord. no. 7601 eff. Mar. 14, 1966)

25.109

Sec. 9. REPEAL.

All Ordinances, resolutions, or orders, or parts thereof, in direct conflict with the provisions of this Ordinance are to the extent of such direct conflict hereby repealed.
(ord. no. 7601 eff. Mar. 14, 1966)

25.110

Sec. 10. EFFECTIVE DATE.

This Ordinance shall become effective March 14, 1966.

Introduced: February 7, 1966

Passed and Approved: February 21, 1966