

**VILLAGE OF MIDDLEVILLE**

**COUNTY OF BARRY, MICHIGAN**

Minutes of a regular meeting of the Village Council of the Village of Middleville, County of Barry, Michigan, held in the Village Hall, 100 East Main Street, Middleville, Michigan, on the 10<sup>th</sup> day of January 2023, at 7:00 p.m., Local Time.

PRESENT: Members: Mike Cramer, Johnny DeMaagd, Makenzi Peters, Richard Hamilton, Kevin Smith, and Ann Williams

ABSENT: Members: Mike Lytle

It was moved by Smith and seconded by Peters that the following Ordinance be adopted under the authority of the Revenue Bond Act of 1933, being Act 94 of the Public Acts of Michigan of 1933, as amended.

**ORDINANCE NO. 2130**

**AN ORDINANCE TO AMEND CHAPTER 70 OF THE VILLAGE OF MIDDLEVILLE  
CODE OF ORDINANCES RELATING TO UTILITIES**

The Ordinance was then discussed.

Upon roll call vote, the vote upon the motion adopting said Ordinance was as follows:

YEAS: Members: Cramer, DeMaagd, Peters, Smith, Richardson, and Williams

NAYS: Members: None

The Village Clerk declared the Ordinance adopted.

The following is Ordinance No. 2130 as adopted:

**THE VILLAGE OF MIDDLEVILLE ORDAINS:**

**ORDINANCE NO. 2130**

**AN ORDINANCE TO AMEND CHAPTER 70 OF THE VILLAGE OF MIDDLEVILLE  
CODE OF ORDINANCES RELATING TO UTILITIES**

**THE VILLAGE OF MIDDLEVILLE ORDAINS:**

Section 1.     Amendment of Section 70-101(h). Section 70-101(h) of Division 3 of Article

II of Chapter 70 of the Village of Middleville (the "Village") Code of Ordinances (the "Code") is hereby amended to read in its entirety as follows:

(h)     *Unpaid water supply rates and charges; penalty.* If water supply rates and charges are not paid on or before the due date, then a penalty equal to ten percent of the amount due shall be added to the unpaid balance.

Section 2.     Amendment of Section 70-101(j). Section 70-101(j) of Division 3 of Article

II of Chapter 70 of the Village Code is hereby amended to read in its entirety as follows:

(j)     *Lien; assessment of delinquent rates and charges on tax roll.* The water supply rates and charges shall be a lien on the respective premises served by the system. Whenever water supply rates and charges shall be unpaid for six months or more, they shall be considered delinquent. The village finance director shall certify annually all water supply rates and charges delinquent as of December 31 and penalties thereon, on or before the following March 1 of each year, to the tax assessing officer of the village, who shall enter the delinquent water supply rates and charges, interest and penalties, together with an additional penalty equal to 15 percent of the total, upon the next tax roll as a charge against the premises affected and such charge shall be collected and the lien thereof enforced in the same manner as ad valorem property taxes levied against such premises.

Section 3.     Amendment of Section 70-268. Section 70-268 of Division 4 of Article III of

Chapter 70 of the Village Code is hereby amended to read in its entirety as follows:

Sec. 70-268. - Unpaid sewer rates and charges; penalty.

If sewer rates and charges are not paid on or before the due date, then a penalty equal to ten percent of the amount due shall be added to the unpaid balance.

Section 4.     Amendment of Section 70-270. Section 70-270 of Division 4 of Article III of Chapter 70 of the Village Code is hereby amended to read in its entirety as follows:

Sec. 70-270. - Lien.

The sewer rates and charges shall be a lien on the respective premises served by the system. Whenever sewer rates and charges shall be unpaid for six months or more, they shall be considered delinquent. The village finance director shall certify annually all sewer rates and charges delinquent as of December 31 and penalties thereon, on or before the following March 1 of each year, to the tax assessing officer of the village, who shall enter the delinquent sewer rates and charges, interest and penalties, together with an additional penalty equal to 15 percent of the total, upon the next tax roll as a charge against the premises affected and such charge shall be collected and the lien thereof enforced in the same manner as ad valorem property taxes levied against such premises.

Section 5.     Severability. In the event that any section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other articles, sections or provisions of this ordinance, except so far as the article, section or portion so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 6.     Publication/Effective Date. This Ordinance shall become effective upon its publication or upon the publication of a summary of its provisions in a local newspaper of general circulation in the Village.

ORDINANCE DECLARED ADOPTED.


Passed and adopted by the Village of Middleville on January 10, 2023.

  
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Micheal Cramer, President  
Village of Middleville  
  
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Glorimar Ayala, Clerk  
Village of Middleville

### **CERTIFICATION OF VILLAGE CLERK**

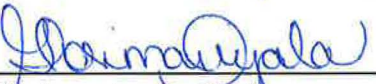
I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Middleville, County of Barry, State of Michigan, at a regular meeting held on January 10, 2023, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan of 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Village and such recording has been authenticated by the signatures of the President and Village Clerk.

  
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Glorimar Ayala, Clerk

### **CERTIFICATE OF PUBLICATION**

I hereby certify that a summary of Ordinance No. 2130, adopted by the Village Council of the Village of Middleville, was published in the *Sun & News* on January 21, 2023.

  
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Glorimar Ayala, Clerk