

ORDINANCE NO. 98

AN ORDINANCE TO REQUIRE PERMITS FOR THE CONSTRUCTION OF DRIVEWAYS WITH NEW CONSTRUCTION; PUBLIC PURPOSE; REQUIREMENTS; SIDEWALKS; PENALTY; EFFECTIVE DATE.

THE VILLAGE OF NEW LOTHROP ORDAINS:

Section 1. Public Purpose. The Village Council of the Village of New Lothrop deems it necessary to protect the health, safety and welfare of the citizens of the Village of New Lothrop to require persons putting in a driveway approach in the Village right-of-way to comply with minimum standards established by the Village when new construction of a primary structure takes place on a building lot.

Section 2. Permit. Prior to the construction of a driveway approach on a lot whereupon a new principal structure has been or is being constructed, the property owner or his authorized representative shall secure a permit from the Building Inspector.

Section 3. Compliance. When constructing a driveway approach, the approach shall be constructed in full compliance with the requirements adopted by the Village of New Lothrop and the instructions of the Building Inspector.

Section 4. Requirements. The Village Council has adopted requirements for sidewalks in the Village. The sidewalk, where it crosses the driveway approach shall be 8 inches in thickness and 4 feet in width. Until such time as the Village Council adopts minimum requirements for driveway approaches, the minimum requirements established by Shiawassee County and/or the State of Michigan shall be employed and enforced by the Building Inspector.

Section 5. Location of Sidewalk. In the event that there is an existing sidewalk abutting the driveway approach, the sidewalk shall be constructed in such a manner so that it lines up properly with the existing sidewalk. In the event that there is no sidewalk abutting the driveway approach, the sidewalk shall be completed in conformity with the existing plan established for the particular area on file with the Village, and if no plan exists, the sidewalk shall be located with it's outside edge between 1 foot and 2 feet from the street right-of-way line, within the right-of-way, unless directed otherwise by the Building Inspector.

Section 6. Inspection. It shall be the responsibility of the Building Inspector or his designee to issue permits, to inspect construction to insure compliance with the above requirements and all other Village Ordinances, regulations, standards and requirements. The Building Inspector shall also verify that all driveway culverts are properly installed.

Section 7. Penalty. Any person found guilty of violating this Ordinance is guilty of a misdemeanor and is subject to a fine of up to \$500.00 or imprisonment for a period of up to 90 days or a combination of such fine and imprisonment.

Section 8. Effective Date. This Ordinance shall be effective 15 days after publication or posting.

Date Enacted: 1-8-03

Date Posted: 1-10-03

Date Published: 1-12-03

Kenneth Birchmeier  
Kenneth Birchmeier, Mayor

Karen Maksimchuk  
Karen Maksimchuk, Village Clerk

PREPARED BY:

CHARLES R. McKONE

New Lothrop Village Attorney

2222 S. Linden Road, Ste. G

Flint, Michigan 48532

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f:\shared\mckone\5892\ord const driveway permit

ORDINANCE NO. 99

AN ORDINANCE TO AMEND SECTION 7 OF ORDINANCE NO. 36, OF THE VILLAGE OF NEW LOTHROP ALLOWING THE VILLAGE COUNCIL TO ESTABLISH ALL SEWER RATES INCLUDING TAP CHARGES AS SET FORTH IN SECTION 4 OF ORDINANCE NO. 36, AS AMENDED, BY RESOLUTION OF THE VILLAGE COUNCIL; EFFECTIVE DATE.

THE VILLAGE OF NEW LOTHROP ORDAINS:

Section 1. Purpose. It is the purpose of this Ordinance to amend Section 7 of Ordinance No. 36 of the Village of New Lothrop to provide for the establishment of all sewer rates including tap charges as set forth in Section 4 of Ordinance No. 36, as amended, by Resolution of the Village Council

Section 2. Amendment. Section 7 of Ordinance No. 36 is hereby amended to read as follows:

"Section 7. Rates.

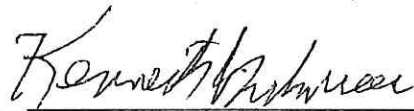
- (a) Consideration. The rates fixed are to be established sufficient to provide for the payment of the expenses of administration and operation; such expenses for the maintenance of the said System as are necessary to preserve the same in good repair and working order; to provide for this payment of the contractual obligations of the Village to the County of Shiawassee, pursuant to the aforesaid contract between said County and the Village of New Lothrop, as the same become due; and to provide for such other expenditures and funds for said System as this Ordinance may require. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts.
- (b) Setting Rates. The Village Council shall set rates as provided in 7 (a) above by resolution of the Council adopted by a majority of the entire Council, from time to time as necessary."

Section 3. Effective Date. This Ordinance shall become effective immediately upon publication.

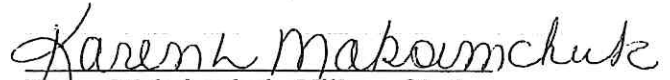
Date Enacted: 11-13-02

Date Posted: 12-11-02

Date Published: 12-15-02



Kenneth Birchmeier, President



Karen Maksimchuk, Village Clerk

PREPARED BY:  
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f:\shared\mckone\5892\ord amend sewer rates tap charges resolution

ORDINANCE NO. 100

AN ORDINANCE TO REQUIRE PERMITS FOR THE CONSTRUCTION OF DRIVEWAYS WITH NEW CONSTRUCTION; PUBLIC PURPOSE; REQUIREMENTS; SIDEWALKS; PENALTY; EFFECTIVE DATE.

THE VILLAGE OF NEW LOTHROP ORDAINS:

Section 1. Public Purpose. The Village Council of the Village of New Lothrop deems it necessary to protect the health, safety and welfare of the citizens of the Village of New Lothrop to require persons putting in a driveway approach in the Village right-of-way to comply with minimum standards established by the Village when new construction of a primary structure takes place on a building lot.

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Section 3. Compliance. When constructing a driveway approach, the approach shall be constructed in full compliance with the requirements adopted by the Village of New Lothrop and the instructions of the Building Inspector.

Section 4. Requirements. The Village Council has adopted requirements for sidewalks in the Village. The sidewalk, where it crosses the driveway approach shall be 8 inches in thickness and 4 feet in width. Until such time as the Village Council adopts minimum requirements for driveway approaches, the minimum requirements established by Shiawassee County and/or the State of Michigan shall be employed and enforced by the Building Inspector.

Section 5. Location of Sidewalk. In the event that there is an existing sidewalk abutting the driveway approach, the sidewalk shall be constructed in such a manner so that it lines up properly with the existing sidewalk. In the event that there is no sidewalk abutting the driveway approach, the sidewalk shall be completed in conformity with the existing plan established for the particular area on file with the Village, and if no plan exists, the sidewalk shall be located with its outside edge between 1 foot and 2 feet from the street right-of-way line, within the right-of-way, unless directed otherwise by the Building Inspector.

Section 6. Inspection. It shall be the responsibility of the Building Inspector or his designee to issue permits, to inspect construction to insure compliance with the above requirements and all other Village Ordinances, regulations, standards and requirements. The Building Inspector shall also verify that all driveway culverts are properly installed.


Section 7. Penalty. Any person found guilty of violating this Ordinance is guilty of a misdemeanor and is subject to a fine of up to \$500.00 or imprisonment for a period of up to 90 days or a combination of such fine and imprisonment.

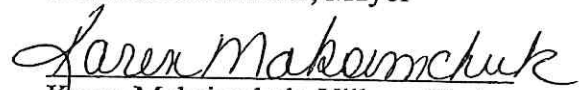
Section 8. Effective Date. This Ordinance shall be effective 15 days after publication or posting.

Date Enacted: 1-8-03

Date Posted: \_\_\_\_\_

Date Published: \_\_\_\_\_

  
Kenneth Birchmeier, Mayor

  
Karen Maksimchuk, Village Clerk

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f:\shared\mckone\5892\ord const driveway permit

Repeals Ordinance #14  
ORDINANCE NO. 101

AN ORDINANCE TO AMEND ORDINANCE NO. 14, OF THE VILLAGE OF NEW LOTHROP ORDINANCES BY ADDING SECTIONS WHICH REQUIRE ALL STRUCTURES BEING USED FOR RESIDENTIAL, MULTIPLE RESIDENTIAL, COMMERCIAL, INDUSTRIAL OR OTHER USES TO BE CONNECTED TO THE MUNICIPAL WATER SUPPLY SYSTEM; PUBLIC PURPOSE; PUNISHMENT; ESTABLISH TIME TO CONNECT; FEES; PRIVATE WELLS; EFFECTIVE DATE.

THE VILLAGE OF NEW LOTHROP ORDAINS:

Section 1. Public Purpose. It is hereby determined by the Village Council of the Village of New Lothrop that it is in the best interest of the health, safety and welfare of the citizens of the Village of New Lothrop to have available within the boundaries of said Village a public water supply system. Further, in order to properly finance said system it is determined that all property must be connected to the system.

Section 2. Mandatory Connection. Every property upon which a structure currently exists or is later constructed which is occupied or to be occupied for any purpose including residential, multiple residential, commercial or industrial, except as provided below, shall be connected to the municipal water system within one (1) year of the effective date of this Ordinance. From and after the mandatory connection date, any property not connected as required shall be required to pay to the Village of New Lothrop any and all tap-in or connection fees and shall be charged a minimum water usage fee for each unit upon said property on a quarterly basis. The minimum water usage fee shall be established by Resolution of the Village Council. Any property currently served by a well shall be allowed to continue to use the well until it shall fail. Thereafter, said property must also be connected to the municipal water system.

Section 3. Failure to Connect; Misdemeanor. It is hereby deemed to be a misdemeanor to own or occupy any residential, multiple residential, commercial or industrial property within the Village of New Lothrop when said property is not properly connected to the municipal water system. Further, each day that the property does not come into compliance with this Ordinance shall constitute a separate violation. Such a misdemeanor shall be punishable by a fine of not more than \$500.00 or imprisonment in the County Jail for not more than 90 day or any combination of said fine and imprisonment.

Section 4. Private Wells. It shall not be unlawful for any owner or occupant of real estate in the Village of New Lothrop to own and make use of a private well. However, said private well shall not be connected to the potable water supply in any

residential, multiple residential, commercial or industrial structure. Said private well may be used for exterior water purposes such as watering lawns and gardens, washing motor vehicles or other personal property and any other similar type exterior use. In no event shall water provided by a private well be introduced into, connected to or cross connected with the municipal water system.

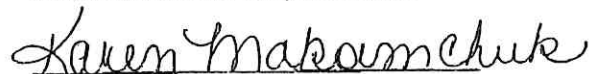
Section 5. Effective Date. This Ordinance shall take effect 15 days after posting or publication.

Date Enacted: 8-10-05

Date Posted: 8-17-05

Date Published: 8-21-05

  
Kenneth Birchmeier, President

  
Karen Maksimchuk, Village Clerk

PREPARED BY:  
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(810) 733-2050

f:\shared\mckone\5892\ord amend Ord 14



**ORDINANCE NO. 102**

AN ORDINANCE TO ESTABLISH WATER RATES AND WATER SYSTEM CHARGES IN THE VILLAGE OF NEW LOTHROP; AMENDMENT BY RESOLUTION; EFFECTIVE DATE; REPEAL.

THE VILLAGE OF NEW LOTHROP ORDAINS:

**Section 1. Fees and Charges.** The following fees and charges shall apply to the Village of New Lothrop Water System commencing on the effective date of this Ordinance.

**Ready to Serve Charge**

Except as provided below, each property required to be connected to the Municipal Water System shall pay a ready to serve charge of Forty-five (\$45.00) Dollars per quarter. This charge may be billed on a monthly basis.

**Minimum Water Fee**

Except as provided below, in addition to the ready to serve charge, each property required to be connected to the Municipal Water System shall pay a minimum water fee of Forty-five (\$45.00) Dollars per quarter. This fee shall include twelve thousand (12,000) gallons of water. This fee may be billed on a monthly basis.

**Commodity Charge**

Except as provided below, each property required to be connected to the Municipal Water System shall pay, in addition to the ready to serve charge and the minimum water fee a commodity charge of Five (\$5.00) Dollars per one thousand (1,000) gallons or any portion thereof, after the first twelve thousand (12,000) gallons of metered water during the quarter. The commodity charge shall be billed quarterly.

**Hazelton Township Fire Department**

The charges to the Hazelton Township Fire Department shall be charged a Ready to Serve Charge of \$90.00 per quarter.

The Hazelton Township Fire Department shall be charged a Minimum Water Fee, which includes 24,000 gallons of \$90.00 per quarter.

The Hazelton Township Fire Department shall not be charged a Commodity Charge for water used to fight a fire inside the Village of New Lothrop.

The Hazelton Township Fire Department shall be charged a Commodity Charge for water used to fight a fire outside the Village of New Lothrop, \$7.50 per 1,000 gallons or any portion thereof, after the first 24,000 gallons.

#### **Elmwood Cemetery**

The Elmwood Cemetery shall be charged a Ready to Serve Charge of \$90.00 per quarter. The Elmwood Cemetery shall be charged a Minimum Water Fee of \$90.00 per quarter. The Elmwood Cemetery shall not be charged a Commodity Charge.

#### **Township Water Customers**

A Township water customer shall pay a Ready to Serve Charge of \$67.50 per quarter. A Township water customer shall pay a Minimum Water Fee of \$67.50 per quarter. This shall include 12,000 gallons of water. A Township water customer shall pay a Commodity Charge of \$7.50 per 1,000 gallons or any portion thereof after the first 12,000 gallons of metered water during the quarter. The Commodity Charge shall be billed quarterly. Other charges may be billed monthly.

#### **Water Meter**

Each premises connected to the Municipal Water System shall have installed therein a water meter, the cost of purchase and installation of which shall be paid by the owner of the premises.

#### **Bulk Water Sales**

Any person making a purchase of water from the site established for bulk water sales shall pay a Commodity Charge of Ten and no/100 (\$10.00) Dollars per one thousand gallons or any portion thereof.

#### **Special Rates**

For miscellaneous services for which a special rate shall be established, such rates shall be fixed by the Village Council.

#### **Enforcement**

The charges for water services which are under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, made a lien on all premises served thereby, unless notice is given that a tenant is responsible, and proper affidavits provided and proper action taken, are hereby recognized to constitute such lien and whenever any such charge against any piece of property shall be delinquent for six (6) months, the Village officials or officials in charge of the collection thereof shall certify annually to the tax assessing officer of the Village, the fact of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises

and shall be collected and the lien thereof enforced in the same manner as general Village taxes against such premises are collected, and the lien thereof enforced: Provided, However, where notice is given that a tenant is responsible for such charges and services as provided by said Section 21, no further service shall be rendered to such premises until a cash deposit of not less than Two Hundred (\$200.00) Dollars shall have been made as security for payment of such charges and services.

In addition to other remedies provided, the Village shall have the right to shut off and discontinue the supply of water to any premises for the non-payment of water rates when due. If such charges are not paid within thirty (30) days after the due date thereof, then water services to such premises shall be discontinued. Water services so discontinued shall not be restored until all sums then due and owing shall be paid.

Section 2. Hydrant Rental. The Village Board of Trustees shall determine by Resolution the appropriate payment to the Water Fund to compensate for water used through fire hydrants and for the availability of such water. The Board may establish a specific fee for each hydrant or may set any other reasonable amount and method as the Board deems appropriate to compensate the Water Fund for such water usage.

For water used outside the Village limits for fire protection, the Village shall bill the responding fire department which uses water from the Village system Seven and 50/100 (\$7.50) Dollars per thousand gallons. In the event that the water used is unmetered, then the charges shall be based upon a good faith estimate from the water department.

Section 3. Amendment by Resolution. The Village Board of Trustees may amend any fees and charges from time to time as they deem appropriate by Resolution of the Board. This authority shall include the establishment of Special Rates should the Board determine that such action is necessary.

Section 4. Effective Date. This Ordinance shall become effective on March 1, 2006.

Section 5. Repeal. Ordinance No. 75 is hereby repealed.

Date Enacted: 3-8-06

Date Posted: 3-17-06

Date Published: 3-26-06

PREPARED BY:  
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Kenneth Birchmeier  
Kenneth Birchmeier, Mayor

Karen Maksimchuk  
Karen Maksimchuk, Village Clerk

ORDINANCE NO. 103

AN ORDINANCE TO PROVIDE FOR THE CUTTING AND REMOVAL OF GRASS, WEEDS AND OTHER POISONOUS OR HARMFUL VEGETATION; ABATEMENT BY THE VILLAGE; COST PLACED ON TAX ROLLS; EXEMPTIONS; PENALTIES; EFFECTIVE DATE; REPEAL.

THE VILLAGE OF NEW LOTHROP ORDAINS:

Section 1. Cutting and Removal of grass, weeds and other poisonous or harmful vegetation. It is unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of such owner, lessee or occupant having control of any occupied or unoccupied lot or land or any part thereof in the Village of New Lothrop to permit or maintain on any such lot or land any growth of brush, grass or other vegetation to a height greater than eight (8") inches or any accumulation of dead weeds, grass or brush. It is also unlawful for any such person or persons to cause, suffer or allow poison ivy, ragweed or other poisonous plants, or plants detrimental to health to grow on any such lot or land. Where any person is the owner of vacant land which is over one (1) acre in size, or any property devoted to any use other than agriculture, the requirements of this section shall be satisfied by cutting back at least fifty (50') feet from the property line that abuts a street and by cutting back fifty (50') feet from any side and rear property lines that abut an occupied lot.

Section 2. Abatement by the Village. If the provisions of Section 1 are not complied with, the Village shall serve either personally, or by certified or regular mail, written notice upon the owner, lessee or occupant, or any person having the care or control of any such lot or land to comply with the provisions of this chapter. If the person upon whom the notice is served fails to cut and remove such weeds, grass or other vegetation within seven (7) days after the personal notice or the posting of certified mail, or if no owner can be found of such lot, the department of public works superintendent shall cause such weeds, grass and other vegetation to be removed and the actual cost of such cutting and removal plus twenty-five (25%) percent for inspection and other additional costs in connection therewith, shall be certified by the department of public works superintendent and shall become and be a lien upon the property on which such weeds, grass and other vegetation were located, and shall be assessed and collected in the same manner provided for collection of taxes.

Section 3. Exemptions. Exemptions from the provisions of this Chapter are flower gardens, vegetable gardens, wetlands and agricultural operations.

Section 4. Penalty. Any person found guilty of violating this Ordinance is guilty of ~~a misdemeanor and is subject to a fine of up to Five Hundred (\$500.00) Dollars or imprisonment for a period of up to ninety (90) days, or a combination of such fine and imprisonment.~~

ORDINANCE NO. 103

AN ORDINANCE TO PROVIDE FOR THE CUTTING AND REMOVAL OF GRASS, WEEDS AND OTHER POISONOUS OR HARMFUL VEGETATION; ABATEMENT BY THE VILLAGE; COST PLACED ON TAX ROLLS; EXEMPTIONS; PENALTIES; EFFECTIVE DATE; REPEAL.

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Section 5.     Effective Date. This Ordinance shall be effective 15 days after publication or posting.

Section 6.     Repeal.             Ordinance No. 30 is hereby repealed.

Date Enacted: \_\_\_\_\_

Date Posted: \_\_\_\_\_

Date Published: \_\_\_\_\_

\_\_\_\_\_  
Kenneth Birchmeier, President

\_\_\_\_\_  
Karen Maksimchuk, Village Clerk

PREPARED BY:  
CHARLES R. McKONE  
New Lothrop Village Attorney  
2377 S. Linden Road, Ste. B  
Flint, Michigan 48532  
(810) 733-2050

Section 5.    Effective Date. This Ordinance shall be effective 15 days after publication or posting.

Section 6.    Repeal.    Ordinance No. 30 is hereby repealed.

Date Enacted: \_\_\_\_\_

Date Posted: \_\_\_\_\_

Date Published: \_\_\_\_\_

\_\_\_\_\_  
Kenneth Birchmeier, President

\_\_\_\_\_  
Karen Maksimchuk, Village Clerk

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