

**THE GENERAL LAW VILLAGE ACT (EXCERPT)**  
**Act 3 of 1895**

CHAPTER XI  
WATER WORKS.

**71.1 Water works; establishment; maintenance.**

Sec. 1. Any village may purchase or construct and may maintain water works to provide the village with pure water.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2890;—CL 1915, 2764;—Am. 1917, Act 43, Eff. Aug. 10, 1917;—Am. 1917, Act 94, Imd. Eff. Apr. 17, 1917;—CL 1929, 1673;—Am. 1937, Act 349, Imd. Eff. Aug. 5, 1937;—CL 1948, 71.1;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

**71.2 Water works or filtration plant; authorized acquisitions, construction, and maintenance.**

Sec. 2. The village may acquire, purchase, erect, and maintain the reservoirs, canals, aqueducts, sluices, buildings, engines, water wheels, pumps, hydraulic machines, distributing pipes, and other apparatus, appurtenances, and machinery, and may acquire, purchase, appropriate, and own such grounds, real estate, rights, and privileges that are necessary and proper for securing, constructing, rebuilding, repairing, extending, and maintenance of those water works or filtration plants.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2891;—Am. 1915, Act 158, Imd. Eff. May 7, 1915;—CL 1915, 2765;—Am. 1917, Act 94, Imd. Eff. Apr. 17, 1917;—CL 1929, 1674;—CL 1948, 71.2;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

**71.3 Borrowing; purpose; limitations.**

Sec. 3. It shall be lawful for any village, subject to the provisions of this act, to borrow any sum of money, that will not make the total indebtedness of such village greater than the limitations imposed in chapter 9, to be used exclusively for the purpose of purchasing, constructing, repairing, rebuilding, extending and maintaining water works, or filtration plants as provided in the 2 preceding sections, and for the payment of any indebtedness incurred by the village in purchasing, constructing, repairing, rebuilding, extending, and maintaining water works or filtration plants.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2892;—Am. 1915, Act 158, Imd. Eff. May 7, 1915;—CL 1915, 2766;—Am. 1917, Act 94, Imd. Eff. Apr. 17, 1917;—Am. 1925, Act 105, Imd. Eff. Apr. 30, 1925;—CL 1929, 1675;—CL 1948, 71.3;—Am. 1974, Act 4, Imd. Eff. Jan. 30, 1974.

**71.4 Estimate of expense; specially assessing cost of certain water improvements.**

Sec. 4. Before any money shall be borrowed, appropriated, raised, or expended for the purchase, construction, repairing, rebuilding, or extending of water works or filtration plants in any village, or for the payment of any indebtedness incurred by the village, in purchasing, constructing, repairing, rebuilding, extending, and maintaining water works or filtration plants, the council shall cause to be made an estimate of the expense thereof. The council may determine to specially assess any portion of the cost of water improvements to property especially benefited thereby pursuant to chapter 8.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—Am. 1897, Act 63, Eff. Aug. 30, 1897;—CL 1897, 2893;—Am. 1915, Act 158, Imd. Eff. May 7, 1915;—CL 1915, 2767;—Am. 1917, Act 94, Imd. Eff. Apr. 17, 1917;—CL 1929, 1676;—CL 1948, 71.4;—Am. 1969, Act 65, Eff. Mar. 20, 1970;—Am. 1974, Act 4, Imd. Eff. Jan. 30, 1974.

**71.5 Private connections; manner; permit; repairs at owner's expense.**

Sec. 5. The connecting or supplying pipes, leading from buildings or yards to the distributing pipes, shall be inserted and kept in repair at the expense of the owner or occupant of the building or yard, and shall not be connected with the main pipe until a permit is obtained from the village. Connecting or supply pipes shall be constructed and connected in the manner prescribed by ordinance.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2894;—CL 1915, 2768;—CL 1929, 1677;—CL 1948, 71.5;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

**71.6 Water rates; ordinance; terms.**

Sec. 6. The council shall establish just and equitable water rates to be charged and paid for water supply. The council shall periodically either modify, amend, increase, or diminish the water rates. The council may prescribe by ordinance when and to whom such water rates shall be paid, and what steps shall be taken to enforce payment of the water rates, including, but not limited to, notice to persons who fail to pay the rates that their supply of water may be shut off, and may provide, in case of nonpayment, that the supply of water may be shut off or stopped as to any person or persons neglecting or refusing to make payment.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2895;—CL 1915, 2769;—CL 1929, 1678;—CL 1948, 71.6;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

#### **71.7 Water works; ordinances.**

Sec. 7. The council may enact such ordinances, and adopt such resolutions, as may be necessary for the care, protection, preservation, and control of the water works, and all the fixtures, appurtenances, apparatus, buildings, and machinery connected therewith or belonging thereto, and to carry into effect the provisions of this chapter, and the powers herein conferred in respect to the construction, management and control of such water works.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2896;—CL 1915, 2770;—CL 1929, 1679;—CL 1948, 71.7.

#### **71.8 Water works; location outside corporate limits; control by council.**

Sec. 8. If the council considers it in the public interest, the village may purchase or construct and may maintain a water works beyond the corporate limits of the village. In such case the council may enforce beyond the corporate limits of the village, have control over the buildings, machinery, and other property belonging to and connected with the water works, in the same manner and to the same extent as if located within the village, and adopt and enforce ordinances and police regulations as may be necessary for the care, protection, preservation, management, and control of the water works. However, nothing in this section prohibits another local governmental unit from enforcing its ordinances within its limits.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2897;—CL 1915, 2771;—CL 1929, 1680;—CL 1948, 71.8;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

#### **71.9 Water works; use of street or highway.**

Sec. 9. For the purpose of operating or constructing and maintaining such water works, the village may, after obtaining appropriate rights as provided by law, use the ground or soil under any street, highway, or road for the purpose of introducing water into and through any and all portions of the village, and repairing and relaying water pipes.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2898;—CL 1915, 2772;—CL 1929, 1681;—CL 1948, 71.9;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

#### **71.10 Water works; condemnation.**

Sec. 10. If it shall be necessary, in the judgment of the council, to appropriate private property for the construction, maintenance, or operation of water works, the right to occupy and hold the same and the ownership or easement rights may be acquired by the village in the manner provided by the uniform condemnation procedures act, 1980 PA 87, MCL 213.51 to 213.75.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2899;—CL 1915, 2773;—CL 1929, 1682;—CL 1948, 71.10;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

#### **71.11 Water supply contract; use of streets, wharves, and public grounds.**

Sec. 11. The council may contract from year to year, or for a period not exceeding 10 years, with a person to supply the village with water and may grant to the person the right to the use of the streets, alleys, wharves, and public grounds of the village as necessary to construct, maintain, and operate proper works for the supply of water for the village upon terms and conditions specified in the contract.

**History:** 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2900;—CL 1915, 2774;—CL 1929, 1683;—CL 1948, 71.11;—Am. 1998, Act 254, Imd. Eff. July 13, 1998.

#### **71.12 Street administrator; duties.**

Sec. 12. Unless otherwise provided by ordinance adopted under section 8 of chapter V, as directed by the council, the street administrator designated under section 13 of 1951 PA 51, MCL 247.663, shall perform, or cause to be performed under his or her supervision, labor, repairs, and improvements upon the highways, streets, sidewalks, alleys, bridges, reservoirs, drains, culverts, sewers, public grounds, and parks within the village.

**History:** Add. 1998, Act 254, Imd. Eff. July 13, 1998.

#### **71.13 Street administrator; report.**

Sec. 13. The street administrator shall provide the council, in writing and on oath once in each month, an exact report of all labor performed by the street administrator, or under his or her supervision, and the charges therefor; the amount of material used, and the expense thereof; the street or other place where the material was used, or labor performed; and the items and purpose of all expenses incurred since his or her last preceding report.

**History:** Add. 1998, Act 254, Imd. Eff. July 13, 1998.

**71.14 Department of public works; performance of duties of administrator; director.**

Sec. 14. The council by ordinance may establish a department of public works to perform the duties of the street administrator and other duties authorized by this act or by the council. The ordinance shall provide that the president shall nominate and the council shall appoint a director of public works. The council may designate the village manager as director of public works in an ordinance enacted pursuant to section 8 of chapter V.

**History:** Add. 1998, Act 254, Imd. Eff. July 13, 1998.