

ORDINANCE NO. 42
SEWER RULES AND REGULATIONS ORDINANCE
Effective August 10, 1987

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS OF SECTIONS THEREOF; IN THE CHARTER TOWNSHIP OF AUSABLE, MICHIGAN.

THE CHARTER TOWNSHIP OF AUSABLE ORDAINS:

SECTION I: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

(a) "Sewage Works" shall mean all facilities used or useful for the collecting, pumping, treating, and disposing of sewage.

(b) "Superintendent" shall mean the Superintendent of the Sewage Disposal System of the Charter Township of AuSable, Michigan, or his authorized deputy, agent or representative.

(c) "Inspector" shall mean any person or persons duly authorized by the Township to inspect and approve the installation of building sewers and their connection to the public sewer system.

(d) "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(e) "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

(f) "Storm Sewer" or "Storm Drain" shall mean a sewer, which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

(g) "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

(h) "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

(i) "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be

carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

(j) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner surface of the building wall.

(k) "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

(l) "Township" shall refer to the Charter Township of AuSable, Michigan.

(m) "Available public sanitary sewer system" means a public sanitary sewer system located in a right of way, easement, highway, street or public way which crosses, adjoins or abuts upon the property and passing not more than 200 feet at the nearest point from a structure in which sanitary sewage originates.

(n) "Public sanitary sewer system" means a sanitary sewer or a combined sanitary and storm sewer used or intended for use by the public for the collection and transportation of sanitary sewage for treatment or disposal and owned or operated by governmental agency or a private corporation, association, partnership or individual.

(o) "Structure in which sanitary sewage originates" or "structure" means a building which toilet, kitchen, laundry, bathing or other facilities, which generate water, carried sanitary sewage, are used or are available.

SECTION II: USE OF PUBLIC SEWERS REQUIRED

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within said Township, or in any area under the jurisdiction of said Township, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes.

(b) It shall be unlawful to discharge to any natural outlet within said Township, or in any area under the jurisdiction of said Township any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facilities intended or used for the disposal of Sewage.

(d) In order to fully protect and promote the health, safety and welfare of the people of the Township, connection of all structures in which sanitary sewage originates to the Townships available public sanitary sewer system be and is hereby required. Said connections shall be

made within Ninety (90) days after (1) the publication of a notice by the Township of the availability of the system in a newspaper of general circulation within the township; (2) modification of a structure so as to become a structure in which sanitary sewage originates.

SECTION III: PUBLIC SEWAGE DISPOSAL

(a) Where a public sanitary or combined sewer is not available under the provisions of Section II (d), the building sewer shall be connected to a private sewage disposal system complying with all requirements of the District Two Health Department and, the State Board of Health.

(b) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the Township.

(c) At such times as a public sewer becomes available to a property served by a sewage disposal system as provided Section II (d), a direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, and filled with suitable material.

(d) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the State Board of Health or District Two Health Department.

SECTION IV: BUILDING SEWERS AND CONNECTIONS

(a) No unauthorized person shall uncover, make any connections with, or openings into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Township. Before a permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have executed unto the Township and deposited with the Treasurer a corporate surety in the sum of \$1,000.00 conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules, and regulations established under the authority or any ordinances of the Township pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the Township and the owner of the premises against all damages, costs, expenses, outlays, and claims of every nature and kind arising out of unskillfulness or negligence of his part in connection with plumbing or excavating for plumbing as prescribed in this Ordinance. Such bond shall remain in force and must be executed for a period of one year except that on such expiration it shall remain in force as to all penalties, claims, and demands that may have accrued thereunder prior to such expiration.

(b) There shall be (2) classes of building sewer permits (1) for residential service, and (2) for service to establishments producing industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the said Township. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the inspector. A permit and inspection fee of Twenty-Five (\$25.00) Dollars for a residential or commercial building sewer permit and One Hundred (\$100.00)

Dollars for an industrial building sewer permit shall be paid to the Treasurer of the Township at the time the application is filed.

(c) All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said Township from any loss or damage that may directly or indirectly be occasioned by said installation.

(d) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Other exceptions will be allowed only by special permission granted by the Superintendent.

(e) Old building sewer or portions thereof may be used in connection with new buildings only when they are found on examination and test by the said Inspector to meet all requirements of this Ordinance.

(f) The building sewer shall be constructed of either plastic pipe schedule 40 type, Vitriified Clay Sewer Pipe and Fittings meeting the current A.S.T.M. Specifications for Standard or Extra Strength Clay Sewer Pipe, Asbestos Cement meeting the current A.S.T.M. Specifications, Extra Heavy Cast Iron Soil Pipe meeting the current A.S.T.M. Specifications or the Department of Commerce Commercial Standards for Extra Heavy Cast Iron Soil Pipe and Fittings or Concrete Sewer Pipe and Fittings meeting the current A.S.T.M. and A.B.S. Pipe Specifications for Standard or Extra Strength Concrete Sewer Pipe. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay pipe, plastic pipe schedule 40 type or asbestos cement or concrete pipe, may be accepted if laid on a suitable improved bed or cradle as approved by said Inspector.

(g) All joints and connections shall be made gas tight and watertight. Vitrified clay sewer pipe shall be fitted with factory made Resilient Compression Joints meeting the current A.S.T.M. "Specifications for Vitrified Clay Pipe Joints Having Resilient Properties" (Designation C425) Asbestos cement or concrete sewer pipe joints shall be of the rubber ring, flexible compression type, plastic pipe schedule 40 type, similar and equal to joint specified for vitrified clay pipe. The joints and connections shall conform to the manufacturer recommendations.

(h) The size and slope of the building sewers shall be subject to the approval of the said Inspector, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one eighth (1/8) inch per foot. All sewer lines shall have a clean out at ground level or above and shall be within three (3) feet of the foundation wall for maintenance.

(i) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three

(3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with current A.S.T.M. Specifications except that no backfill shall be placed until the work has been inspected by the Inspector or his representative.

(j) In all buildings in which any building drains too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer.

(k) The connection of the building sewer into the public sewer shall be made at the "Y" branch designated for that property, if such branch is available at a suitable location. Any connection not made at the designated "Y" branch in the main sewer shall be made only as directed by said Inspector.

(l) The applicant for the building sewer shall notify the said inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervisor of the said Inspector or his representative

(m) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the said Township.

SECTION V: USE OF THE PUBLIC SEWER

(a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof, runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

(b) No person shall discharge or cause to be discharged to any public sewer any harmful waters or wastes, whether liquid, solid or gas, capable of causing obstruction to the flow of sewers, damage or hazard to structures, equipment, and personnel of the sewage works, or other interference with the proper operation of the sewage works.

(c) Grease, oil, and sand interceptors shall be provided when, in the opinion of the said Inspector, they are necessary for the proper handling of liquid wastes obtaining grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Where installed, they shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

(d) The admission into the public sewers of any waters or wastes having harmful or objectionable characteristics shall be subject to the review and approval of the Superintendent, who may prescribe limits on the strength and character of these waters or wastes. Where necessary, in the opinion of the Superintendent, the owner shall provide, at his expense, such

preliminary treatment as may be necessary to treat these wastes prior to discharge to the public sewer. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the said Superintendent and of the State of Michigan, and no construction of such facilities shall be commenced until said approval is obtained in writing. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

- (e) When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install and maintain at his expense a suitable control manhole in the building sewer to facilitate observation, sampling, and measurement of the wastes. All measurements, tests, and analyses of the characteristics of waters and wastes shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", and shall be determined at the control manhole or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

SECTION VI: PROTECTION FROM DAMAGE

Any unauthorized person who shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works, shall be guilty of a misdemeanor punishable by a fine of not more than \$100.00 or imprisonment in the County Jail for not more than 90 days, or both fine and imprisonment.

SECTION VII: POWERS AND AUTHORITY OF INSPECTORS

The Superintendent, Inspector, and other duly authorized employees of the Township bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Ordinance

SECTION VIII: PENALTIES

(a) Any person found to be violating any provision of this Ordinance except Section VI shall be served by the Township with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Any person violating any of the provisions of this Ordinance shall become liable to the Township for any expense, loss, or damage occasioned the Township by reason of such violation.

SECTION IX: CONDITIONS OF SERVICE

(a) The Township shall install and maintain at its expense that portion of the service from the main to the lot or easement line, and the customer shall install a clean out to and maintain at his expense that portion of the service from said lot or easement line to his premises. All sewer lines shall have a clean out installed at ground level or above, and shall be within three (3) feet of the building foundation for maintenance. The size and slope of the building sewers shall be subject to the approval of the authorized personnel of the Township but in no event shall the diameter be less than four (4) inches. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor.

(b) Applications may be cancelled and/or sewer service discontinued by the Township for any violation of any rule, regulation, or condition of service, and especially for any of the following reasons:

1. Misrepresentation in the application as to the property or fixtures to be serviced by the sanitary sewer system.
2. Nonpayment of bills.
3. Improper or imperfect service pipes and fixtures or failure to keep same in suitable state of repair.

(c) Bills and notices relating to the conduct of the business of the Township will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the Township; and the Township shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from nonpayment of a bill or from any performance required in said notice.

(d) The Township shall make all reasonable efforts to eliminate interruption of service, and when such interruption occurs, will endeavor to reestablish service with the shortest possible delay. Whenever service is interrupted for the purpose of working on the collection system or the treatment equipment, all customers affected by such interruption will be notified in advance whenever it is possible to do so.

(e) The Township shall, in no event, be held responsible for a claim made against it by reason of the breaking of any mains or service pipes, or by reason of any other interruption of the service caused by the breaking of machinery or stoppage for necessary repairs; and no person shall be entitled to damages nor have any portion of a payment refunded for any interruption.

(f) The premises receiving sanitary sewer service shall at all reasonable hours be subject to inspection by duly authorized personnel of the Township.

(g) Special terms and conditions may be made where sewer service is used by the Township or community for public purposes such as public parks, etc.

SECTION X: VALIDITY

This Ordinance shall become effective 30 days after publication.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 42 duly adopted by the Township Board of the Charter Township of AuSable, County of Iosco, Michigan, at a Regular meeting held on August 10, 1987, at which all Members were present except _____, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that member Karen Ruedisueli moved adoption of said ordinance and that member Della Schweickert supported said adoption.

I further certify that the following Members voted for adoption of said ordinance Ruedisueli, Schweickert, Lamrock, Hall and McLaren, and that the following Members voted against adoption of said ordinance _____.

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

TOWNSHIP of AuSable

Dated: Original document undated

Della Schweickert
By: Della Schweickert
Its: Clerk