

ORDINANCE #40

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 VILLAGE OF SPRINGPORT

THE VILLAGE OF SPRINGPORT ORDAINS:

Section 1. DEFINITIONS

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

- A. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- B. "Superintendent" shall mean the Superintendent of the Municipal Sewage Works of the Village of Springport, Michigan or his authorized deputy, agent or representative.
- C. "Inspector" shall mean any person or persons duly authorized by the Village 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 building, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
- E. "Sewer" shall mean a pipe or conduit for carrying sewage.
- F. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- G. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- H. "Sanitary Sewer" shall mean a sewer which carries sewage to which storm, surface, and ground waters are not intentionally admitted.

- I. "Storm Sewer or Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- J. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- K. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from handling, storage, and sale of produce.
- L. "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 ½ inch in any dimension.
- M. "Building Drain" shall mean that part of the lowest horizontal piping of 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 face of the building wall.
- N. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- O. "B.O.D." (denotes Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C expressed in parts by million in weight.
- P. "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Q. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.
- R. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- S. "Water Course" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- T. "Person" shall mean any individual, firm, company, association, society, corporation or group.

U. "Shall" is mandatory; "May" is permissive.

Section 2. USE OF PUBLIC SEWERS REQUIRED

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Village of Springport, Michigan, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial waste.
- B. It shall be unlawful to discharge to any natural outlet within said Village, or in any area under the jurisdiction of said Village any sanitary sewage, industrial waste or other polluted water, except where suitable treatment has been provided in accord-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. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Village abutting any street, alley, or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer of the Village is hereby required at his expense to install suitable toilet facilities therein, and connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within sixty (60) days after the official notice to do so, provided that said public sewer is available to the property owners as determined by the Village Council.

Section 3. PUBLIC SEWAGE DISPOSAL

- A. Where a public sanitary or combined sewer is not available under the provisions of Section 2-D, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the State Board of Health.
- B. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all time, at no expense to the Village.
- C. At such times as a public sewer becomes available to a property served by a sewage disposal system as provided in Section 2-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 if so required by the inspector.

- 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.

Section 4. BUILDING SEWERS AND CONNECTIONS

- A. No unauthorized person shall uncover, make any connections with, or opening into, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Village. Before a permit may be issued for excavating or plumbing in any public street, way, alley, the person applying for such permit shall have executed unto the Village of Springport 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 Village of Springport pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the Village of Springport and the owner of the premises against all damages, costs, expenses, outlays, and claim of every nature and kind arising out of unskillfulness or negligence on 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 two (2) classes of building sewer permits; (1) for a residential and commercial 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 Village. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the inspector.
- 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 Village 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 on 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 Inspector.

- E. Old building sewer or portions thereof may be used in connection with the 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 Vitrified 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 or the Department of Commerce Commercial Standards for Service Weight Cast Iron Soil Pipe and Fittings or Concrete Sewer Pipe and Fittings meeting the current A.S.T.M. Specifications for Standard or Extra Strength Concrete Sewer Pipe or Plastic Extra Strength Solid Wall Pipe and Fittings (type DS, C8 228-61 or better) meeting the Department of Commerce Commercial Standards. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay pipe or asbestos cement or concrete pipe, may be accepted by said Inspector.
- G. All joints and connections shall be made gas tight and water tight. Vitrified clay sewer pipe shall be fitted with factory made Resilient Compression Joints having Resilient Properties (Designation C245). Asbestos cement or concrete sewer pipe joints shall be of the rubber ring, flexible compression type, similar and equal to joint specified for vitrified clay pipe. The joints and connections shall conform to the manufacturers 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.
- I. Whenever possible, the building sewer shall be brought at an elevation below the basement floor. If however, the basement floor is below the sewer line then the person may use appropriate means to lift the sewage by appropriate lifting devices. These lifting devices must meet the approval of the inspector. 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 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 representatives.

- J. In all buildings in which any building drain is 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 in the main sewer shall be made only as designated by the 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 supervision of the Inspector or his representative.
- M. All excavations for 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 manner satisfactory to the said Village.

Section 5. 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 in sewers, damage or hazard to structures, equipment, and personnel of the sewage works or any other interference with the proper operation of the sewage works.
- C. Greases, 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 containing 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 sewer of any waters or wastes having harmful or objectional characteristics shall be subject to the review and approval of the Inspector, who may prescribe limits on the strength and character of these waters or wastes. Where necessary, in the opinion of the Inspector, 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 said Inspector and of the Michigan State Board of Health, 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 Inspector, 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 sampling, observation, and measurement of the wastes. All measurements, test and analyses of the characteristics of waters and wastes shall be determined in accordance with Standard Methods for 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 6.

PROTECTION FROM DAMAGE

No unauthorized person 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. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Section 7.

POWERS AND AUTHORITY OF INSPECTION

The inspector, and other duly authorized employees of the Village bearing proper credentials and other identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provision of this ordinance.

Section 8. PENALTIES

- A. Any person found to be violating any provision of this ordinance except Section 6, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation beyond the time limit provided for in Section 8 A shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not more than One Hundred Dollars (\$100.00) for each violation. Each day in which such violation shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of this ordinance shall become liable to the Village for any expense, loss, or damage occasioned the Village by reason of such violation.

Section 9. CONDITIONS OF SERVICE

- A. The Village shall install at its expense that portion of the service from the main to the lot or easement line. The customer shall install and maintain at his expense that portion of the service from said lot or easement line to this premises as well as maintain at this expense the street lateral service to the main.

The size and slope of the building sewers shall be subject to the approval of the authorized personnel of the Village 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 Village 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.
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 Village 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 Village; and the Village shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from nonpayment of bill or from any performance required in said notice.

D. Bills for sewer service are due and payable at the business office of the Village or to any designated agent, on their date of issue. The past due date shall be the 15th day of the month after the period of service. Bills will be dated and mailed monthly.

All bills not paid on or before the past due date shall be termed delinquent and the Village shall serve on the customer a written final notice of said delinquency. If a delinquent bill is not paid within 30 days after due date, the water and/or sewer service to the user will be subject to discontinuance, or other measures as state law will allow.

E. When the water or sewer service supplied to a customer has been discontinued for nonpayment of delinquent bill, the Village reserves the right to request a nominal sum, not to exceed the total of sewer billing or prior three months, be paid on deposit with the Village for the purpose of establishing or maintaining any customer's credit.

The reconnection will not be made until after all delinquent bills and other charges, if any, owed by the customer to the Village have been paid.

F. The Village shall make all reasonable efforts to eliminate interruption of service, and when such interruption occurs, will

endeavor to re-establish service with the shortest possible delay. Whenever service is interrupted for purpose of working on the collection system or treatment equipment, all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

- G. The Village shall, in no event, be held responsible for 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.
- H. The premises receiving sanitary sewer service shall at all reasonable hours be subject to the inspection by duly authorized personnel of the Village.
- I. Special terms and conditions may be made where sewer service is used by the Village or community for public purposes such as public parks
- J. This ordinance may be amended by action of the Village Council.

Section 10. VALIDITY

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. ORDINANCE IN FORCE

This ordinance shall be in full force and effect from and after its passage, approval, and publication according to the law of the State of Michigan.

Passed by the Council of the Village of Springport, Michigan, on the 11th day of May 1971.

Approved: Earl C. Mead, President
Councilmen, Lester Sykes, Marcella Steeby, William Hammond, Herman Tester, Adolph Ecklund. Attest: Althea Mercer, Clerk.

Published May 20, 1971

