

Boardmember HOFFMAN supported by Boardmember NAUTA moved the adoption of the following ordinance:

**ORDINANCE NO. 93-8**  
**SEWER USE ORDINANCE**

THE TOWNSHIP OF VERGENNES ORDAINS:

Section 1. Purpose. It is the purpose of this Ordinance to establish the authority necessary to enable Lowell Township to efficiently manage and operate its sewage disposal system, to promulgate standards, rules and regulations or use of the Lowell Township sanitary sewage system by Vergennes Township users and residents, to prevent pollution of the environment from waste water discharges, and to comply with all applicable federal, state and local laws, rules, regulations and requirements.

Section 2. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance and any rules, regulations, standards or requirements promulgated pursuant thereto shall be as follows:

(a) "Available sanitary sewer" shall mean a sanitary sewer line of the System located in a right-of-way, easement, highway, street or public way which crosses, and joins or abuts upon the property and passing not more than two hundred (200) feet from a structure in which sanitary sewage originates.

(b) "BOD" or "biochemical oxygen demand" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade expressed in terms of weight (part per million) and/or by concentration (milligrams per liter).

(c) "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 (5) feet outside the inner face of the building wall.

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

(e) "COD" or "chemical oxygen demand" shall mean a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater determined as the amount of oxygen consumed from a chemical oxidant in a specified test and expressed in terms of concentration (milligrams per liter).

(f) "Cesspool" shall mean an underground pit into which raw household sewage or other untreated liquid waste is discharged and from which the liquid seeps into surrounding soil or is otherwise removed.

(g) "Chlorine demand" shall mean the difference between the amount of chlorine added to water or wastewater and the amount remaining at the end of a specified contact period expressed in terms of concentration (milligrams per liter).

- (h) "City" shall mean the City of Lowell, Kent County, Michigan.
- (i) "Combined sewer" shall mean a sewer receiving both surface runoff and sewage.
- (j) "Combined wastestream" shall mean the wastestream of an Industrial User where regulated process effluent is mixed with other wastewater (either regulated or unregulated) prior to treatment.
- (k) "Commercial User" shall mean an establishment listed in the Office of Management and Budget's "Standard Industrial Classification Manual" (SICM) (1972 Edition) involved in a commercial enterprise, business or service which, based on a determination by the City Manager discharges primarily segregated domestic wastes or wastes from sanitary convenience or which is not a Residential User or an Industrial User.
- (l) "Compatible substance" or "compatible pollutant" shall mean a substance amenable to treatment in the System's wastewater treatment plant and for which treatment the treatment plant was designed.
- (m) "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the growing, handling, storage and sale of produce or other edible products.
- (n) "Grease trap" shall mean a tank of a size and material and so designed as to be capable of removing grease and oily wastes from the sewage.
- (o) "Incompatible substance" or "incompatible pollutant" shall mean any substance which is not a compatible substance.
- (p) "Industrial waste" shall mean liquid or liquid carried wastes from any industrial, manufacturing, trade or business processes, or from any such structure used or designed to be used for any such purpose, as distinct from domestic waste or wastes from sanitary conveniences.
- (q) "Industrial User" shall mean a manufacturing process or facility producing industrial waste.
- (r) "Integrated facilities" shall mean industrial facilities which combine process waste prior to treatment.
- (s) "Lowell Township" means the Township of Lowell, Kent County, Michigan.
- (t) "Lowell Township Board" means the Township Board of the Township of Lowell.
- (u) "Lowell Township Supervisor" means the Township Supervisor of the Township of Lowell or his/her designee.
- (v) "MDNR" means the Michigan Department of Natural Resources.
- (w) "National Categorical Pretreatment Standard" shall mean any federal regulation containing water pollutant discharge limits which is promulgated by the USEPA and which applies to a specific category of Industrial Users.
- (x) "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake or

other body of surface or ground water.

(y) "Operation and maintenance" shall mean all work, materials, equipment, utilities, administration and other effort required to operate and maintain the sewage works and includes the cost of replacement.

(z) "Premises" shall mean a lot, parcel or plot of land including the buildings or structures thereon or any part thereof.

(aa) "Private sewage system" shall mean any sanitary sewage works or part thereof not connected to a public sewer and shall include but not be limited to septic tanks, cesspools and seepage pits.

(bb) "Properly shredded garbage" shall mean garbage that has been shredded to such a 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.

(cc) "Residential user" shall mean a user whose premises or buildings are used primarily as a permanent domicile for one or more persons (transit lodging such as motels, hotels and motor inns are not included) and which discharges only domestic waste.

(dd) "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

(ee) "Seepage pit" shall mean a cistern or underground enclosure constructed of concrete blocks, bricks, or similar material loosely laid with open joints so as to allow the septic tank overflow or effluent to be absorbed directly into the surrounding soil.

(ff) "Septic tank" shall mean a receptacle receiving sewage and having an inlet and outlet designed to permit the separation of solids in suspension from such wastes and to permit such retained solids to undergo decomposition therein.

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

(hh) "Sewage disposal system" and "system" shall mean all sanitary sewer lines, lift stations, pumping facilities, sanitary sewer collection facilities and their appurtenances which Lowell Township has or shall have possession of and operating responsibility for (whether owned by Lowell Township or not) either now in existence in Lowell Township or Vergennes Township or hereafter acquired or constructed in Lowell Township or Vergennes Township, and all extensions, enlargements and improvements thereto in Lowell Township or Vergennes Township.

(ii) "Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage.

(jj) "Sewage works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

(kk) "Sewer" shall mean a pipe or conduit for carrying sewage.

(ll) "Standard Industrial Classification" or "SIC" shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President,

Office of Management and Budget, 1972.

(mm) "Storm sewer" or "storm drain" shall mean a sewer which carries storm and surface water and drainage, but excludes sewage and polluted industrial wastes.

(nn) "Storm water" shall mean any flow occurring during or following any form of natural precipitation and resulting therefrom.

(oo) "Structure in which sanitary sewage originates" or "structure" shall mean a building in which toilet, kitchen, laundry, bathing or other facilities which generate water-carried sanitary sewage, are used or are available for use for household, commercial, industrial or other purposes.

(pp) "Surcharge" shall mean an extra charge to cover the cost of treating and sludge disposal of extra strength sewage or slugs.

(qq) "Suspended solids" or "SS" shall mean the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

(rr) "Township" means the Township of Vergennes, Kent County, Michigan.

(ss) "Township Board" means the Township Board of the Township.

(tt) "Township Supervisor" means the Township Supervisor of the Township or his/her designees.

(uu) "USEPA" shall mean the United States Environmental Protection Agency.

(vv) "Watercourse" shall mean a channel, natural or artificial, in which a flow of water occurs, either continuously or intermittently, but does not include the sewage disposal system or any part or component thereof.

Section 3. Abbreviations. The meaning of abbreviations used in this Article and rules promulgated pursuant hereto shall be as follows:

- (a) "gpd" shall mean gallons per day.
- (b) "l" shall mean liter.
- (c) "MG" shall mean million gallons.
- (d) "mg" shall mean milligrams.
- (e) "mg/l" shall mean milligrams per liter.
- (f) "ppm" shall mean parts per million.
- (g) "u" shall mean microgram.
- (h) "u/l" shall mean micrograms per liter.

Section 4. Pollution and Waste Deposits Prohibited. No person shall deposit, place or discharge, cause to be deposited, placed or discharged or permit to be deposited, placed or discharged onto any property or into any natural outlet or watercourse within or under the jurisdiction of the Township any domestic waste, industrial waste, sanitary sewage or other pollutant, unless the same has been treated to comply with all applicable federal, state and local laws, rules, regulations and requirements, and no person shall dispose of, place or deposit, cause to be disposed of, place or deposited or permit to be disposed of, placed or deposited in an unsanitary manner upon, in or with any premises within or under the jurisdiction of the Township any human or animal excrement, garbage or other objectionable material.

Section 5. Sewer Connection Required. All structures in which sanitary sewage originates for which there is an available sanitary sewer may, at the expense of the owner thereof and in accordance with the provisions of this Ordinance, be connected to the system; provided, however, no new connection to the system will be permitted unless there is sufficient available capacity in all downstream sewage collection lines, force mains and lift stations and in the City's sewage treatment plant, including capacity for treating BOD and suspended solids.

Section 6. Use of Private Sewage System. Where the system is not available to a structure or a structure is not connected to the system, the building sewer shall be connected to a private sewage system which complies with all applicable state and local laws rules and regulations including any requirements of state, county or Township health officers.

Section 7. Unused Private Sewage System. Where a premises is connected to the system and there exists on the premises a septic tank, cesspool, seepage pit or other similar private sewage facility, any sewage in the septic tank, cesspool, seepage pit or other similar private sewage facility shall be removed and disposed of in a sanitary manner and the septic tank, cesspool, seepage pit or other private sewage facility shall be filled with sand or gravel.

Section 8. Bond Required of Plumbers. All plumbers or others designated to perform sewer work shall be required to file a surety bond with the Township Supervisor in the sum of Ten Thousand Dollars (\$10,000.00) and running to the Township to protect it against any liability in connection with the work done, and which surety bond or bonds shall be kept in force and effect from year to year.

Section 9. Sewer Connection Permit Required. No person shall uncover and make any connections with, or openings into, use, alter or disturb any public sewer connected to the system without obtaining a written permit from the Township Supervisor and Lowell Township Supervisor. Any sewer connections or work done within the Township's right-of-way shall require a street opening permit from the Township Supervisor.

Section 10. Sanitary Sewer Connection Permit, Classification, Application and Fee.

- (a) Classification. There shall be 2 classes of building sewer permits.
  - (1) Residential and commercial services, and
  - (2) Establishments producing industrial wastes

In either case, the owner or his agent shall make application on the form furnished by the Township.

(b) Application. In addition to such other information as may be required by the Township Supervisor or under rules promulgated by the Township or pursuant to this Ordinance, said application for excavating shall plainly state the location thereof, the purpose for which it is to be done, the date when said work is to be performed and also kind and nature of the sewer. The application shall be supplemented by any plans, specifications or other information considered pertinent by the Township Supervisor or the Township Board.

(c) Fees. The application shall be accompanied by the appropriate permit, connection and inspection fees which shall be in amounts specified in this Ordinance or as set from time to time by the Lowell Township Board.

Section 11. Costs of Connection; Indemnification of Township. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner

shall indemnify the Township and Lowell Township from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 12. Separate Building Sewers Required. A separate and independent building sewer shall be provided for each structure. However, where any existing structure is so located on an interior lot so that no individual building sewer is available nor can one be constructed to the structure through an adjoining alley, court yard or driveway, more than one structure may be served with the same building sewer subject to approval by the Township Supervisor and the Lowell Township Supervisor. In areas where laterals have not been constructed to the property and complete street improvements have been made or where unusual lot splits have occurred leaving only one lateral for two properties, joint use of this lateral may be approved by the Township Supervisor and the Lowell Township Supervisor with the connection being made to the public sewer. Where joint use of a lateral is permitted, it shall be conditional upon the right of the Township or Lowell Township to, at any time, monitor the effluent of the joint users of the lateral prior to its entry into the joint lateral, whether or not such monitoring must occur on private or public property or in or outside the Users' facilities.

Section 13. Connection of Building Sewer into Public Sanitary Sewer. The connection of the building sewer into the public sanitary sewer shall be made at the "Y" branch or manhole, if such outlet is available at the suitable location. If no "Y" branch or manhole is available, the contractor will install a PVC or PE saddle. The device will be furnished by the Township and must be installed according to instructions furnished by the Township Supervisor. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete.

Section 14. Connection on Trunk Line Highways or County Roads. Where it may be necessary to connect into a sewer on a trunk line highway or on a county road, the applicant will secure the necessary permits from the Michigan State Department of Transportation and the Kent County Road Commission. Said permits shall be presented to the Lowell Township Supervisor when the application for local permit is made. The applicant is to pay all fees thereof.

Section 15. Prohibited Lateral Sewer Connections. In no case shall a lateral sanitary sewer be connected to the outlet end of a septic tank and cesspool, but said sewer shall be laid as direct as possible between the trunk line sanitary sewer and the building to be connected. No lateral sanitary sewer from any building shall be connected directly to any catch basin, manhole or any line leading from any catch basis to the main sanitary sewer.

Section 16. Taps. All taps made in any trunk line sanitary sewer within the Township shall be made under the supervision of the Township Supervisor. Lateral sanitary sewers must be laid at least to the property line by the plumber or person designated to perform the work.

Section 17. Inspection and Supervision of Connections. The applicant for the building sewer permit shall notify the Township Supervisor when the building sewer is ready for inspection and connection to the system. The connection shall be made under the supervision of the Township Supervisor.

Section 18. Construction Requirements. The building sewer shall consist of pipes and fittings of the following types and sizes:

(a) That portion of the building sewer lying in the area of a public street, alley or right-of-way shall not be less than 6" I. D. That part of the building sewer between the public right-of-way boundary and the building shall not be less than 4" I.D.

Building sewers serving other than a single-family domestic user shall be of adequate size for the expected wastewater flow.

(b) Building sewers shall be constructed of one of the following materials and connect be mixed in the connection lines to include the fittings:

- (1) Extra strength vitrified clay pipe C-700 ES with ASTM 425 joints,
- (2) Cast iron soil pipe with "no-hub" type joints,
- (3) Polyvinyl chloride (PVC) pipe Type 1, Schedule 80 ASTM D-1785 with solvent weld joints,
- (4) Polyvinyl chloride (PVC) ASTM D 3034 (SDR35) with ASTM D 3212 push-on type joints.

(c) No tees, double-tees or crosses or double hub type fittings shall be permitted.

(d) All changes in grade shall be made with appropriate 1/8 bends.

(e) Building sewers shall be low pressure air tested within five (5) feet of the building to the point of connection of the Sewer; said pressure shall be 3.5 pounds per square inch and held five (5) minutes.

(f) The minimum slope of a 6" I.D. line shall be 1/8 inch per foot and for a 4" I.D. line said minimum shall be 1/4 inch per foot.

(g) Building sewers shall be laid at a uniform grade and in a straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings with cleanouts located a maximum of ninety (90) feet of straight run and at each ninety (90) degree direction change (two forty five (45) degree connections), and all cleanouts shall be plugged.

(h) Old building sewers or portions thereof may be used in connection with new buildings only when said sewers are tested and found to meet all the requirements of this Ordinance.

(i) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be closer than three (3) feet parallel to any bearing wall which might thereby be weakened. The depth shall be sufficient to afford protection from frost.

(j) The method to be used in excavating, placing of pipe, jointing, testing and backfilling the trench shall conform to the requirements of the Township Supervisor and the Lowell Township Supervisor.

Section 19. Building Sewer Location, Elevation, Grade and Alignment. 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 nor within 3 feet of any bearing wall. The depth shall be sufficient to be protected against frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in straight alignment shall be made only with properly curved pipe or long radius fittings. Changes in direction using bends of 45 degrees or over shall have a cleanout.

Section 20. Floor Drains. Floor drains which are connected to the building sewer shall be required for all basements or cellars if the elevation of the public sanitary sewer will service the building.

Section 21. Building Drains; Artificial Lift Required. In all structures in which any building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

Section 22. Storm Water, Runoff, Cooling Water.

(a) The present separated sanitary sewer, and the sanitary portion of the sewage disposal system shall be used for the collection and transportation of sanitary sewage only. Downspouts, footing drains, weep tile, or any conduit that carries storm water or groundwater, alone or in combination with sanitary sewage, shall not be connected to the system, directly or indirectly.

(b) No person shall discharge or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted air-conditioning water or specifically permitted by the Township Supervisor and the Lowell Township Supervisor. This water shall be discharged into storm sewers, dry wells or natural outlet as approved by the Township Supervisor, the Kent County Drain Commissioner, Michigan State Water Resources Commission or other such governmental agency having jurisdiction to make such determination.

Section 23. Severability. If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Section 24. Conflict. All Ordinances and parts of Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 25. This Ordinance shall take effect 30 days after its publication in the Lowell Ledger , a newspaper of general circulation in the Township of Vergennes.

YEAS:	Boardmember	<u>COOK, BAIRD, NAUTA, WEBER and HOFFMAN</u>
NAYS:	Boardmember	<u>NONE</u>
ABSENT:	Boardmember	<u>NONE</u>
Abstain:	Boardmember	<u>NONE</u>
Dated:	<u>October 11, 1993</u>	



**CERTIFICATION**

I, Jenean Hoffman, Township Clerk of the Township of Vergennes, hereby certify that the above Ordinance was adopted at a regular meeting of the Vergennes Township Board on October 11, 1993, and was published in the October 27, 1993, a newspaper of general circulation in the Township, on October 27, 1993, was entered into the Ordinance Book of the Township on October 27, 1993, and was effective November 27, 1993, 30 days after publication.

Original is Signed by:

Jenean Hoffman, Township Clerk

Jim Cook, Township Supervisor