

**REPUBLIC TOWNSHIP ORDINANCE
USE OF PUBLIC & PRIVATE SEWERS & DRAINS
ORDINANCE NO. 2013-23**

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATIO AND CONNECTING OF BUILDING SEWERS, THE DISCHAGRE OF WATERS AND WASTES INTO PUBLIC SEWER SYSTEM AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

The Township Board of Republic Township, Marquette County, Michigan hereby ordains:

Section 1: Definitions

1. APPROVING AUTHORITY – shall mean the Township Board or its duly authorized deputy, agent or representative.
2. BOD – denoting Biochemical Oxygen Demand shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in the five (5) days at 20 degrees C expressed in milligrams per liter.
3. BUILDING DRAIN – shall mean the 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 (1.5 meters) outside the inner face of the building wall.
4. BUILDING SEWER - shall mean the extension form the building drain to the public sewer or other place of disposal, also called house connection.
5. COMBINED SEWER – shall mean a sewer intended to receive both wastewater and storm or surface water.
6. CHLORINE REQUIREMENT – shall mean the amount of chlorine, in milligrams per liter, which must be added to sewage to produce a specified residual chlorine content in accordance with procedures set forth in “Standard Methods”.
7. EASEMENT – shall mean an acquired legal right for the specific use of land owned by others
8. FLOATABLE OIL – is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and wastewater does not interfere with the collection system.
9. GARBAGE – shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.
10. GROUND GARBAGE – is garbage that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one half inch (1/2) in any dimension.
11. INDUSTRIAL WASTES shall mean the waste water from industrial processes, trade or business as distinct from sanitary sewage.
12. NATURAL OUTLET – shall mean an outlet, including storm sewers and combined sewer overflows into a watercourse, pond, ditch, lake or other body of surface or groundwater.

13. PARTS PER MILLION (also milligrams per liter) is a weight to weight ration; the parts per million value multiplied by the factor 08.345 shall be equivalent to pounds per million gallons of water.
14. PERSON - shall mean any individual, firm, company, association, society, corporation or group.
15. pH – shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^7 .
16. PUBLIC SEWER – shall mean a common sewer controlled by a governmental agency or public utility.
17. SANITARY SEWAGE – shall be considered to be synonymous with “Domestic Sewage” and “Domestic Wastewater” and shall mean any combination of liquid and water carried wastes discharged from sanitary plumbing facilities. Sanitary sewage shall be assumed to have the following waste concentrations:

BOD = 200mg/l

Suspended Solids (SS) = 240 mg/l

Other = no substances as prohibited or limited in this Ordinance

18. SANITARY SEWER – shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
19. SEWAGE – is the spent water of a community. The preferred term is “wastewater”.
20. SEWER – shall mean a pipe or conduit that carries wastewater or drainage water.
21. SHALL is mandatory, MAY is permissive
22. SLUG – shall mean any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.
23. STANDARD METHODS – shall mean the examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water, Sewage and Industrial Wastes” published jointly by the American Public health Association, the American Water Works Association and American Water Works Association and the Federation of Sewage and Industrial Wastes Associations.
24. STORM DRAIN – (sometimes termed “storm sewer”) shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
25. STORMWATER RUNOFF – shall mean that portion of the rainfall that is drained into the sewers.
26. SUSPENDED SOLIDS – (SS) shall mean total suspended matter that either floats on the surface of or is in the suspension in water, wastewater or other liquids and that is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as nonfilterable residue.
27. UNPOLLUTED WATER – is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and

would not be benefitted by discharge to the Sanitary Sewers and wastewater treatment facilities provided.

28. TOWNSHIP – shall mean the Township of Republic, Marquette County, Michigan
29. WASTEWATER – shall mean the spent water of a community. From the Standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and storm water that may be present.
30. WASTEWATER FACILITIES – shall mean the structures, equipment and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
31. WASTEWATER TREATMENT WORKS – shall mean an arrangement of devices and structures required for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with “waste treatment plant”, “wastewater treatment plant” or “water pollution control plant”.

Section 2: Use of Public Sewers Required

1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner or public or private property within the Township, any human or animal excrement, garbage or objectionable waste.
2. It shall be unlawful to discharge into any natural outlet within the Township, any wastewater or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.
4. The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Township and abutting any street, alley or right of way in which there is now located or may in the future located a public sanitary sewer, is hereby required at the owner(s) expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred feet (200') (61.0 meters) of the property line.

Section 3: Building Sewers and Connections

1. No authorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Approving Authority.
2. There shall be two classes of building sewer permits: (a) for industrial service and (b) for non-industrial service. In either case, the owner(s) or his agent shall make application on a special form furnished by the Approving Authority. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Approving Authority. A permit and inspection fee of ten dollars

(\$10.00) for a residential or commercial building sewer permit and twenty five (\$25.00) for an industrial building sewer permit shall be paid to the Approving Authority at the time application is filed.

3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Approving Authority for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
4. A separate and independent building sewer shall be provided for every building.
5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Approving Authority, to meet all requirements of this Ordinance.
6. The size, slope alignment and materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling of the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Approving Authority.
7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
8. No person(s) shall make connection of roof downspouts, foundations, drains, areaway drains, sump pumps or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the Approving Authority for purposes of disposal of polluted surface drainage.
9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Approving Authority. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.
10. The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Approving Authority or his representative.
11. All excavations for building sewer installations 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 Approving Authority.
12. The Approving Authority may levy a connection charge upon the application for connection of a building sewer to the public sewer. The amount of this charge shall be determined by a Resolution adopted by the Township Board. The amount shall be paid by the person(s) owning the building served by the building sewer. This charge shall be related to the local capital cost of wastewater collection and treatment projects.

Section 4: Use of The Public Sewers

1. **SANITARY SEWERS** – No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm sewer, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer, except that storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.
2. **INSPECTIONS** – Authorized personnel of the Township may make inspections through the Township for sump pump connections to the public sanitary sewers and illegal downspout connections. Violations will be reported to the Approving Authority.
3. **STORM SEWERS** – Storm water other than that exempted under section 4.1 and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Approving Authority. Unpolluted industrial cooling water or process water may be discharged on approval of the Approving Authority to a storm sewer or natural outlet.
4. **PROHIBITIONS & LIMITATIONS** – Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described water or wastes to any public sewer.
 - A. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - B. Water or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals or create a public nuisance in the receiving waters of the wastewater treatment plant.
 - C. Water or wastes having a pH lower than 6.0 or having any other corrosive property or capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
 - D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to ashes, sand, mud, straws shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, ilk container etc., either whole or ground by garbage grinders.
 - E. The following described substances, materials, waters or waste shall be limited in discharges to municipal systems to concentration or quantities which will not harm the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, and public property or constitute a nuisance. The Approving Authority may set limitation more restrictive than the limitations established in the regulations below if, in its opinion, such limitations are necessary to meet the above objections. In forming its opinion as to the acceptability, the Approving Authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer will shall not be violated without approval of the Approving Authority, are as follows:

1. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
2. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils or product of mineral oil origin.
3. Wastewater from industrial plants containing floatable oils, fat or grease.
4. Garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
5. Water or waste containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority.
6. Water or wastes containing odor producing substances exceeding the limits which may be established by the Approving Authority.
7. Radioactive wastes or isotopes of such half life or concentrations as may exceed limits established by the Approving Authority in compliance with State and Federal regulations.
8. Quantities of flow, concentrations, or both which constitute a slug as defined herein.
9. Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of the Approving Authority's NPEDS permit.
10. Water or wastes which by interaction with other water or wastes in the public sewer system, release obnoxious gases from the suspended solids which interfere with the collections system or create a condition deleterious to structures and treatment processes.
11. Materials which exert or causes:
 - a. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the Wastewater Treatment Plant.
 - b. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
 - c. Unusual concentrations of inert suspended solids (such as fuller's earth, lime slurries and lime residues) or dissolved solids (such as sodium sulfate).
 - d. Excessive discoloration (such as dye wastes and vegetable tanning solutions).

F. SPECIAL ARRANGEMENTS – No statement contained in this article shall be construed as prohibiting any special agreement between the Approving Authority and any person whereby an industrial waste of unusual strength or character may be admitted to the sewage disposal works, either before or after pretreatment, provided that there is no impairment of the functioning of the sewage disposal

works by reason of the admission of such wastes and no extra costs are incurred by the Approving Authority without recompense by the person requesting admission of said industrial waste into the sewage works.

Section 5: Control of Industrial Wastes Directed to Public Sewers

- A. Within three months after passage of this Ordinance each person who discharges industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater works.

Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial waste shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the wastes to be discharged.

The minimum information required is outlined on the Industrial Sewer Connection Application called for in this Ordinance.

- B. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by the Approving Authority, a request for extension of time may be presented for consideration of the Approving Authority.
- C. If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in Section 3 and which in the judgment of the Approving Authority may have deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life, health or constitute a public nuisance the Approving Authority may:
- a. Reject the wastes
 - b. Require pretreatment to an acceptable condition for discharge to the public sewers.
 - c. Require control over the quantities and rates of discharge and or
 - d. Require payment to cover added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this or other Ordinances
- D. Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.

Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring devices are to be permanently installed they shall be of a type acceptable to the Approving Authority.

Control manholes, access facilities and related equipment shall be installed by the person discharging the waste, at his expense and shall be maintained by him so as to be in safe condition, accessible and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.

- E. The volume of flow used for computing industrial waste collection and treatment charges shall be metered water consumption of the person as shown in the records of meter readings maintained by the Owner except as noted in section 5.G.
- F. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Approving Authority that more than ten percent (10%) of the total volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing waste volume discharged into the public sewer may be made a matter of agreement between the Approving Authority and the person.
- G. Devices for measuring the volume of waste discharged may be required by the Approving Authority, if this volume cannot otherwise be determined. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person discharging the waste. Following approval and installation such meters may not be removed without the consent of the Approving Authority.
- H. Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determination shall be made by the industry as often as may be deemed necessary by the Approving Authority.

Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by use of mechanical equipment acceptable to the Approving Authority.

Installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Approving Authority. Access to sampling locations shall be granted to the Approving Authority or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample was taken.

- I. The Approving Authority may at its option, install such structures and equipment and perform monitoring, sampling and laboratory analyses called for above. In such cases all structures and equipment shall be considered a part of the wastewater treatment works and the costs of construction, operation and maintenance of same shall be incorporated in the service charge of the industrial user.

- J. When, in the opinion of the Approving Authority, and in accordance with Title 40, part 403 of the Code of Federal Regulations and other applicable state and federal regulations, pretreatment is required to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment facility, the person so discharging shall provide at his expense such preliminary treatment or processing facility as the Approving Authority may determine necessary to render his waste acceptable for admission to the public sewers.
- K. Grease, oil and sand interceptors shall be provided by the Owner at his expense, when in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes as described in this Ordinance or any flammable wastes, sands or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Approving Authority and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Approving Authority. Any removal and handling of the collected materials not performed by the owner(s)' personnel must be performed by currently licensed waste disposal firms.
- L. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with Title 40 Part 136 of the Code of Federal Regulations and in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.

Determination of the character and concentration of the industrial wastes shall be made by the person discharging them, or his agent as designated and required by the Approving Authority. The Approving Authority may also make its own analysis on the wastes and these determinations shall be binding as a basis for treatment service charges.

- M. Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction of the effluent from such facilities is to be discharged into the public sewers.

Section 6: Right of Entry, Safety and Identification

- A. RIGHT OF ENTRY – Duly authorized agents of the Township, bearing proper credentials, and identification, shall be permitted to enter all properties

for the purpose of investigations to determine compliance with the provisions of this Ordinance. They shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers, waterways or facilities for wastewater treatment.

- B. SAFETY – While performing the necessary work on private premises investigators shall observe all safety rules applicable to the premises established by the company and the Approving Authority shall indemnify the company against loss or damage to its property by investigators and against the liability claims and demands for personal injury or property damage asserted against the company against loss by negligence or failure of the company to maintain safe conditions as required in this Ordinance.
- C. IDENTIFICATION, RIGHT TO ENTER EASEMENTS – Duly authorized agents of the Township, bearing proper credentials with identification, shall be permitted to enter all private properties through which the Township has a duly negotiated easement for the purpose of, but not limited to inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement, all subject to the terms, if any, of the agreement.

Section 7: Damage or Tampering with Sewage Facilities

- A. WILLFUL, NEGLIGENT OR MALICIOUS DAMAGE – No 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 sewage facility. Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

Section 8: Violations and Penalties

- A. WRITTEN NOTICE OF VIOLATION – Any person found to be violating any provisions of this Ordinance, shall be served by the Approving Authority with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. ACCIDENTAL DISCHARGE – Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to a fine, pay the amount to cover damages as established by the Approving Authority.
- C. CONTINUED VIOLATIONS – Any person, partnership or corporation, or any officer, agent or employee thereof, who shall continue any violation beyond the aforesaid notice time limit provided shall upon conviction thereof, forfeit not more than \$100.00 together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the county jail for a period of time not to exceed thirty (30)

days. Each day in which any violations is continued beyond the aforesaid notice time limit shall be deemed a separate offense.

- D. LIABILITY TO TOWNSHIP FOR LOSSES – Any person in violation of any provision of this Ordinance shall become liable to the Approving Authority for any expense, loss, or damage occasioned by reason of such violation which the Approving Authority may suffer a result thereof.
- E. APPEALS – The Township shall hear appeals from sewer users on matters concerning interpretation and execution of the provisions of this Ordinance at the first meeting of the Approving Authority each local fiscal year.

Section 9: Validity

- A. REPEAL OF CONFLICTING ORDINANCE – All ordinance or part of ordinances or regulation or parts of regulation in conflict with this Ordinance are hereby repealed.
- B. INVALIDATION CLAUSE – Invalidity of any section, clause, sentence, or provision in the Ordinance shall not affect the validity of any other section, clause, sentence or provision of this Ordinance which can be given effect without such invalid part or parts.

Section 10: Effective Date

- A. DATE EFFECT – This Ordinance shall take effect and be in force from and after the date of enactment.
- B. DATE OF ENACTMENT – Passed and adopted by the Township Board of Republic in the County of Marquette and the State of Michigan on the 27th day of May, 1982

Adopted by the Republic Township Board this 27th day of May, 1982 by the following vote:

Yes: 4
No: 0
Absent: 1