

APPENDUM C SEWER USE

ARTICLE I DEFINITIONS

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

- C.01.01** **BOD** (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20 degrees C., expressed in milligrams per liter.
- C.01.02** **Building Connection** shall mean the connection of the building drain to the building sewer.
- C.01.03** **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 which begins five feet outside the inner face of the building wall.
- C.01.04** **Building Sewer** shall mean the extension from the building drain to the public sewer or other place of disposal.
- C.01.05** **City** shall mean the City of Sandusky, Sanilac County, Michigan.
- C.01.06** **Combined Sewer** shall mean a sewer receiving both surface runoff and wastewater.
- C.01.07** **Developer** shall mean any person constructing a private wastewater system.
- C.01.08** **Garbage** shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- C.01.09** **Industrial Wastes** shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary wastewater.
- C.01.10** **Inspector** shall mean an authorized agent of the Superintendent observing the construction, alteration, tapping or repair of any public or building sewer or engaged in other work provided for herein.
- C.01.11** **Meter** shall mean a device to measure the quantity of potable water or wastewater passing through it.
- C.01.12** **Natural Outlet** shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.
- C.01.13** **New Source** shall mean any building, structure, facility, or installation from which there is or may be a discharge and for which construction commenced after the publication of proposed pretreatment standards under section 307(c) of the clean water act will be applicable to source if the

standards are thereafter promulgated in accordance with section 307(c), and if any of the following provisions apply:

A) The building, structure, facility, or installation is constructed at a site at which no other source is located.

B) The building, structure, facility, or installation totally replaces the process or production equipment that caused the discharge of pollutions at an existing source.

C) The production of wastewater-generating processes of the building, structure, facility, or installation is substantially independent of an existing source at the same site. The extent to which the new facility is engaged in the same general type of activity as the existing source and the extent of integration of the new facility with the existing plant should be considered in determining whether the process is substantially independent.(Ord 09-03)

- C.01.14** **Normal Domestic Waste** shall mean the water borne waste from houses or buildings used for human occupancy.
- C.01.15** **NPDES Permit** shall mean National Pollutant Discharge Elimination System Permit.
- C.01.16** **Person** shall mean any individual, firm, company, association, society, corporation, or group.
- C.01.17** **Ph** shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- C.01.18** **Plumber** shall mean a plumber who is licensed and authorized to engage in plumbing work in the City in accordance with City Ordinances and State Statutes.
- C.01.19** **Plumbing Contractor** shall mean any contractor registered with the City of engage in work of a plumber.
- C.01.20** **Premise or Premises** shall mean a structure which cannot be completely divided in its present utilitarian condition through sale. The following are examples of what is meant by premise or premises:
- A)** A building under one roof owned, leased or occupied by one party as one business or residence; or
- B)** A combination of residential buildings or commercial buildings, leased or occupied by one party in one common enclosure; or
- C)** The one side of a double house having a solid vertical partition wall; or
- D)** A building owned by one party having more than one internal division, such as apartments, offices, stores, etc., and which may have a common or separate entrance.
- C.01.21** **Private Wastewater Disposal Facilities** shall mean any privately owned and maintained privy, privy vault, septic tank, cesspool or outlet into any pond, ditch, lake, or other body of surface water or groundwater, or other facility intended or used for the disposal of wastewater.
- C.01.22** **Properly Shredded Garbage** shall mean wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally

prevailing in public sewers, with on particle greater than one-half inch in any dimension.

- C.01.23** **Public Sewer** shall mean a sewer in which all owners or abutting properties have equal rights and is controlled by public authority.
- C.01.24** **Sanitary Sewer** shall mean a sewer which carries wastewater and to which storm water, surface water, and ground waters are not intentionally admitted.
- C.01.25** **Sewer** shall mean a pipe or conduit for carrying wastewater.
- C.01.26** **Shall** is mandatory; “May” is permissive.
- C.01.27** **Slug** shall mean a discharge of water, wastewater, or industrial waste which in concentration of any given constituent, or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24 hour concentration or flows during normal operation.
- C.01.28** **Storm Drain** and **Storm Sewer** shall mean a sewer which carries storm and surface waters and drainage, but excludes wastewater and industrial waters, other than unpolluted cooling water.
- C.01.29** **Superintendent** shall mean the Superintendent of the Sandusky Waste Water Treatment Plant for the City or his authorized deputy, agent or representative. (amd. Ord 09-03)
- C.01.30** **Suspended Solids** shall mean solids that either float on the surface of, or are in suspension I water, wastewater, or other liquids, and which are removable by laboratory filtering.
- C.01.31** **Waste** shall mean any discharged or abandoned materials, whether organic or in organic.
- C.01.32** **Wastewater** shall mean 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.
- C.01.33** **Wastewater Treatment Plant** shall mean any arrangement of devices for treating and disposing of wastewater, industrial wastes, and sludge.
- C.01.34** **Wastewater Works** shall mean all facilities for collecting, pumping, treating and disposing of wastewater, industrial wastes, and sludge.
- C.01.35** **Watercourse** shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II USE OF PUBLIC SEWERS REQUIRED

- C.02.01** **Waste deposition prohibited**
It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of said City, any human or

animal excrement, garbage, or other objectionable waste as may from time to time be specified by the Superintendent.

C.02.02 Waste discharge prohibited

It shall be unlawful to discharge into any natural outlet within the City, or in any area under the jurisdiction of said City, any wastewater, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

C.02.03 Private wastewater facilities prohibited

Except as hereinafter provided, it shall be unlawful to construct, maintain or use any private wastewater disposal facilities for the disposal of wastewater.

C.02.04 Toilet facilities required (amd Ord 09-03)

The owner of any house, building, or property used for human occupancy, employment, recreation, or any other habitable purpose, situated within the City and abutting on any street, alley, right-of-way, or easement in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at his/her expense to install suitable toilet facilities therein, and to connect such facilities directly with the popper public sewer in accordance with the provisions of this chapter, provided that said public sewer is within 150 feet of the property line. This connection shall be completed within 180 days after the date on which the last of the following occurs:

- A) Availability of the public sanitary sewer as above described;
- B) Availability of wastewater treatment plant services;
- C) Improvement of the property so as to become property upon which water is used or is available for use for household, commercial, industrial, or other purposes. The improvement shall be deemed complete when ready for occupancy.

C.02.05 Termination of private disposal system

At such time as any premises are connected to the public sewer, the owner shall complete the following:

- A) Within 180 days from the date that connection to the sewer is completed, disconnect all connections to private wastewater disposal facilities;
- B) Fill all cesspools, septic tanks, privy vaults, dry wells, block trenches, and any other private wastewater disposal facilities in compliance with requirements of the Sanilac County Health Department.

C.02.06 Notice of availability of public sewer

At such time as a public sewer becomes available to premises served by private wastewater disposal facilities, the City Clerk shall cause

appropriate notice to be served upon the owner of such property. Said notice shall contain the following provisions:

- A) That a public sanitary sewer is ready and available to receive connections and the approximate location of the public sanitary sewer available for connection.
- B) That said premises are required to be connected to said public sanitary sewer as specified in Section C.02.04; and
- C) That said premises are required to be disconnected from private wastewater disposal facilities as specified in Section C.02.05;
- D) The notice required hereby shall be served as follows:
 - (1) The notice required by Section C.02.06 shall be posted beside an entrance to a building on the property, left with an occupant thereof or delivered to the property owner.
 - (2) In addition, the City Clerk shall have the notice published once in a newspaper of general circulation within the boundaries of the City.

ARTICLE III PRIVATE WASTEWATER DISPOSAL

C.03.01 Disposal Requirement

Where a public sewer is not available under the provisions of Article II, Section C.02.04, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.

C.03.02 Permit Requirement (amd Ord 09-01)

Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any drawings, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee as periodically established by council resolution or ordinance shall be paid to the City at the time the application is filed.

C.03.03 Inspection

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Superintendent.

C.03.04 Health Dept. Rules (amd Ord 09-01)

The type, capacity, location, and layout of a private wastewater disposal system shall comply with all rules and regulations of the Sanilac County Health Department and the Michigan Department of Environmental Quality.

C.03.05 Public Sewer Availability

At such time as public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer in compliance with this chapter, and the private wastewater disposal facilities shall be abandoned and filled in compliance with this chapter.

C.03.06 Private Disposal Maintenance

The owner shall operate and maintain the private wastewater disposal facilities in sanitary manner at all times, at no expense to the City.

C.03.07 Additional Requirements

No statement contained I this article shall be construed to interfere with any additional requirements that may be imposed by the Sanilac County Health Department or the Michigan Department of Environmental Quality.

**ARTICLE IV
BUILDING SEWER AND CONNECTIONS**

C.04.01 Unauthorized Tampering Prohibited

No person, except an authorized employee of the City or persons authorized by the City, shall uncover, make any connections with or into, install, repair, alter, or disturb any public sewer, building sewer, or appurtenance thereof. A written permit for such work issued by the Superintendent shall be required for each interference with any public sewer or appurtenances thereto.

C.04.02 Building Sewer Permits (amd Ord 09-1)

A) There shall be two classes of building sewer permits (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner, or his designated agent shall make application on a special form furnished by the City.

- B) The permit application shall be supplemented by any drawings, specifications, or other information considered necessary to thoroughly describe the project.
- C) The owner shall designate the person who will perform the work.
- D) The person designated to perform the work shall meet the qualifications required by the Superintendent.
- E) A permit and inspection fee established by fee resolution or ordinance for:
 1. residential or commercial building sewer permit and
 2. industrial building sewer permit shall be paid to the City at the time the application is filed.

C.04.03 Payment of Fees

No permit shall be issued until all charges and fees, inclusive but not limited to permit and inspection fees, connection charges, tap fees and other charges required by this and related ordinances, have been paid or provisions for the payment of the same have been made with the Superintendent.

C.04.04 Public Sewer Connection

- A) All costs and expenses related to and incidental to the installation and connection of the building sewer to the public sewer, including the cost of materials and metering devices as may be required, shall be borne by the owner.
- B) The owner shall indemnify the City from any loss or damage that may directly or indirectly result from the installation of the building sewer or connection to the public sewer.

C.04.05 Separate Connections

A separate and independent building sewer shall be required for each premise to be connected to the public sewer.

C.04.06 Existing Building Sewers

Old building sewers may be used in connection with new premises only when they are found, on examination and test by the Superintendent, to meet all requirements of this Chapter.

C.04.07 Conformance to Rules (amd Ord 09-01)

All sewer construction, connections, maintenance and repairs to sewer facilities shall be subject to Rules and Regulations promulgated from time to time in accordance with the provisions of Article VII, and shall conform to the Building and Plumbing Codes of the City, County and/or State and any other applicable codes. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and Water Environment Federation Manual of Practice No. 9 shall apply.

C.04.08 Building Sewer Elevation

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, wastewater carried by such building drain shall be lifted by an apparatus approved by the Superintendent, and discharged to the building sewer.

C.04.09 Surface and Ground Water Prohibited

No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.

- A) Whenever such connections are found in any premises, the Superintendent shall notify the owner in writing in accordance with provisions hereinafter for giving notice of any violations.
- B) Such connection shall be deemed to constitute a nuisance per se.
- C) Failure to removed said connection within 30 days from the date of service of notice shall be deemed to be a separate violation of these provisions.

C.04.10 Public Sewer Connection

- A) The person designated pursuant to Section C.04.02 to perform the work of connecting, installing, repairing, altering or disturbing any public sewer shall notify the Superintendent in writing at least 48 hours in advance of when the building sewer will be ready for installation and connection to the public sewer.
- B) It is the responsibility of the person designated to do such work to insure the delivery of such notice to the Superintendent. This notice shall state the permit number, street, sub lot number and anticipated construction time required for the inspection requested.
- C) The person designated to do the work shall immediately inform the Superintendent of any unforeseen delays or postponements prior to 8:00a.m. of the day for which inspections was arranged.
- D) No work may be performed in the absence of an inspector unless written permission is granted by the Superintendent. Said written permission shall not be unreasonably denied.
- E) The City shall not be liable for any expense incurred by the person designated to do the work in locating mains, wyes, house connections for other sewer appurtenances arising out of information procured from the records of the City.

C.04.10A Limitation on Sewer Connections (Ord 07-4)

Applications for sewer connections shall only be approved for installation on premises located within the corporate limits of the City of Sandusky. No new premises outside the corporate limits of the City of Sandusky shall be serviced by the city Sewer Disposal System until or

unless the property is properly annexed or the property is under contract as a result of the Watertown Township Agreement.

C.04.11 Tapping & Inspection

- A) Any work covered prior to inspection shall be uncovered by the person designated to do the work and an opportunity must be given to inspect the inside as well as the outside of the sewer pipe.
- B) The actual tapping of a connection into a sanitary sewer and the connection to the building drain shall be done only in the presence of an inspector.

C.04.12 Materials and Workmanship

The Superintendent shall approve the quality of all materials and workmanship, and shall have the right to inspect the same at all times. He may order removed from the job any inferior or defective material, and he may cause to be re-laid any portion of a building sewer, which is not constructed in accordance with the provisions of this chapter.

C.04.13 Permit for Sanitary Sewer Main

When a new sanitary sewer main is being built in a street and building drain or building sewer connections are included in the contract, the contractor for such main sanitary sewer shall be required to obtain a permit for each and every connection to a building drain that he may be employed to connect.

C.04.14 Construction in Right of Way (amd Ord 09-1)

No permit for sewer construction, Connection, maintenance or repair shall be issued for any such work requiring excavation in any street, highway or road right-of-way until the person who is to make such excavation shall obtain from the proper authority the required permit for each excavation and shall agree to comply with all the requirements of the issuing authority, or shall obtain a written statement by that authority that no road opening permit is required. This permit shall be shown to the inspector at the commencement of construction and shall be kept on the job at all times, while work is in progress. The Superintendent may require a bond to ensure restoration.

C.04.15 Interior Plumbing

- A) No sanitary sewer connection shall be made to any premises for which the rough interior plumbing has not been completed, inspected and approved by the proper authority.
- B) The connection between the interior plumbing building drain and the building sewer shall be made at a point approximately five feet outside the inner face of the foundation wall.

C.04.16 Building Sewer Maintenance, Liens

- A) The property owner shall be responsible for the maintenance of the building sewer from the sanitary sewer main.
- B) The Superintendent may require the property owner to make whatever repairs or to perform any maintenance of the building sewer that Superintendent deems necessary for the proper function of the sanitary wastewater system.
- C) If the City is requested, or finds it necessary for the proper maintenance of the system, to repair or maintain any building sewer or connections, the cost of such repair or maintenance shall be billed directly to the owner of the premises and shall be the responsibility of the owner to pay within 30 days from the date of the billing statement. Failure to pay such billed costs within six months of billing shall result in a lien being placed against the property in the amount of the cost.

C.04.17 Plumbing Contractor’s Liability, Sanctions

If any plumbing contractor neglects or refuses to do any act required by this chapter or the Rules and Regulations promulgated hereunder within the time specified after receiving written notice from the Superintendent to do so, the Superintendent may cause such work to be done and charge the same to the plumbing contractor. If such charges are not paid within 30 days from the date of the billing statement, the City may revoke the plumbing contractor’s authority to perform work in the City. Failure by the plumbing contractor to comply with the provisions of this chapter or of the Rules and Regulations promulgated hereunder or with the direct order of the Superintendent shall be deemed just cause for the City to revoke the plumbing contractor’s authority to perform work in the City. This sanction shall be in addition to and not in lieu of those penalties provided for violation of this chapter.

C.04.18 Disclaimer

The City expressly disclaims and shall not be responsible for any damages caused by, or arising from any stoppage of the main sanitary sewer.

C.04.19 Safety Provisions

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 City.

ARTICLE V

USE OF PUBLIC SEWERS

C.05.01 Wastewater only

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

C.05.02 Surface Runoff (amd Ord 09-01)

Storm water 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 Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Michigan Department of Environmental Quality.

C.05.03 Prohibited Wastes – Absolute (amd Ord 09-01)

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A) Any petroleum product, gasoline, benzene, naphtha, ails or other flammable or explosive liquid, solid or gas.
- B) Any waters 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 wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant. All discharges containing toxic material shall be regulated as provided in Article V., Section C.05.05.
- C) Any waters or wastes having a pH lower than 5.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or 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 works; such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, hair, fleshings, entrails, paper dishes, cups, milk containers, etc., all of the above either whole or ground by garbage grinders.
- E) Any other toxic substances exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency (USEPA) pursuant to the authority of Sec. 307a of the Clean Water Act (USCA 35.17), or to cause the treatment facility to violate the pre-treatment or NPDES standards promulgated under Sec. 307b of the Clean Water Act.

C.05.04 Prohibited Substances – Discretionary (amd Ord 09-01)

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely, in the opinion of the Superintendent, that such wastes can harm either the sewers, wastewater treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent shall give his consideration to , but shall not be limited to, such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant, and other pertinent factors. The substances prohibited are;

- A)** Any liquid or vapor having a temperature higher than 150 degrees F. (65 degrees C)
- B)** Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/liter or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees F(0 and 65 degrees C).
- C)** Any garbage that has not been properly shredded.
- D)** Any waters or wastes containing strong acid; iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- E)** Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite wastewater treatment works exceed the limits established by the superintendent for such materials.
- F)** Any water or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite wastewater, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- G)** Any radioactive waters or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- H)** Any water or wastes having a pH in excess of 10.0.
- I)** Materials which exert or cause:
 - 1.** Unusual concentrations of inert suspended solids such as, but not limited to : fullers' earth, lime slurries, and lime residues or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.

2. Excessive discoloration such as, but not limited to : dye wastes and vegetable tanning solutions.
 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works.
 4. Unusual volume of flow or concentration of wastes constituting “*slugs*” as defined herein.
- J)** Waters 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 other agencies having jurisdiction over discharge to the receiving waters.
- K)** Any other toxic substances exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency (USEPA) pursuant to the authority of Sec.307a of the Clean Water Act (USCA 35.17), or to cause the treatment facility to violate the pre-treatment of NPDES standards promulgated under Sec. 307b of the Clean Water Act.

C.05.05 Toxic Substances (amd Ord 09-01)

- A)** Any person whose operations, whether commercial, residential or industrial, entail the discharge of water or wastes containing toxic or poisonous substances shall file with the Superintendent an Industrial Wastewater Discharge Permit Application describing:
1. The amount of water required to be used and its source,
 2. The proposed point of discharge of said wastes into the wastewater system of the City,
 3. The estimated amount to be discharged, and
 4. A fair statement setting forth the expected bacterial, physical, chemical and other known characteristics of said wastes.
- B)** Within 30 days of receipt of the permit application, the Superintendent shall issue an order stating such minimum restrictions as in the judgment of the Superintendent may be necessary to guard adequately against unlawful uses of the City’s wastewater system.
- C)** No discharge of water or wastes is allowed until issuance of a permit or determination that a permit is not necessary.

C.05.06 Control of Prohibited Discharge (amd Ord 09-01)

- A)** If any waters or wastes are discharge to the public sewers, which waters contain the substances or posses the characteristics enumerated in Section C.05.04 and which in the judgment of the

Superintendent may have a harmful effect upon the wastewater works, processes, equipment, or receiving water, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent shall:

1. Reject the wastes, and/or
 2. Require pretreatment to an acceptable condition for discharge to the public sewers, and/or
 3. Require the user to apply for and adhere to the Industrial Pretreatment Sewer Use "Appendix E" and/or
 4. Require control over the quantities and rates of discharge, and/or
 5. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section C.05.13 of this article.
- B) If the Superintendent permits or requires the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirement of all applicable codes, ordinances and laws.

C.05.07 Interceptors (amd Ord 09-01)

Interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. An interceptor shall be maintained to prevent violations of the ordinance. Lack of maintenance is punishable by fines.

C.05.08 Garbage Grinders

The installation and operation of any garbage grinder equipped with a motor of $\frac{3}{4}$ horsepower or greater shall be subject to the review and approval of the Superintendent.

C.05.09 Pre-Treatment Maintenance

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

C.05.10 Manhole

- A) When required by the Superintendent, the owner of any premises serviced by a building sewer carrying industrial or food establishment wastes shall install a suitable control manhole

together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes.

- B) Such manhole, when required, shall be accessible and safely located, and approved by the Superintendent.
- C) The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

C.05.11 Inspections at Manhole

All measurements, tests, and analysis of the characteristics of waters and wastes shall be determined at the control manhole provided, or upon suitable samples 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.

C.05.12 Measurement Standards and Sampling

All measurements, test and analysis of the characteristics of waters and wastes to which reference is made in this chapter, shall be determined in accordance with the latest edition of “*Standard Methods for the Examination of Water and Wastewater*”, published by the American Public Health Association. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the wastewater works and to determine the existence of hazards to life, limb and property.

C.05.13 Special Conditions

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore by the industrial concern.

C.05-14 Pretreatment

Any pretreatment shall be in conformance with 40 CFR 403 (general pretreatment regulations) and 40 CFR 136 (analytical methods) of the United States Environmental Protection Agency.

C.05-15 Toxicants

The introduction to the Sewer System of Toxicants which are listed in Section 307(a) of the Clean Water Act are strictly prohibited.

C.05.16 Discharge of Pollutants

The discharge of pollutants into the Wastewater Treatment Works, which would cause a violation of the Municipal Wastewater Treatment Plant NPDES Permit limitations, is strictly prohibited.

**ARTICLE VI
PROTECTION FROM DAMAGE**

C.06.01 Willful or Negligent 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 wastewater works. Only authorized personnel shall be permitted to alter, uncover, or tamper with any structure, which is part of the wastewater works. Any person violating this provision shall be deemed to be a disorderly person and shall be subject to criminal prosecution as hereinafter provided. Violation of this provision shall be deemed to constitute a nuisance per se.

**ARTICLE VII
POWERES AND AUTHORITY OF SUPERINTENDENT AND INSPECTORS**

C.07.01 Rules (amd Ord 09-01)

The Superintendent is authorized and directed to promulgate, adopt and enforce Rules and Regulations in accordance with the provisions of Articles II through V of this chapter for the purpose of providing control over sewer construction, installation, maintenance and repair, in accordance with the following provisions:

- A)** All such Rules and Regulations shall be entitled "*Sanitary sewer Rules and Regulations*".
- B)** All such Rules and Regulations and any amendments thereto shall be in writing and shall be filed with the City Clerk and shall be placed on file at the office of the Superintendent.
- C)** Such Rules and Regulations shall specify the effective date thereof and shall be subscribed by the Superintendent and dated as of the date they are promulgated.
- D)** Notice shall be given in a newspaper of general circulation in the City, that the Superintendent has promulgated certain Rules and Regulation, or amendments thereto, for the Sanitary Sewer Ordinance of the City and that the same are on file with the City Clerk and at the office of the Superintendent.
- E)** Said Rules and Regulations or any amendments shall become effective 30 days after the date of Publication of notice as above specified.
- F)** Said Rules and Regulations, or any amendments may be modified at any time by the City. Such modification shall become effective within 30 days after the date of publication of notice that said modifications have been made and are on file with the City Clerk

and the Superintendent. Publication of notice and filing shall be in accordance with provisions A through E above.

C.07.02 Authority to Inspect

The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties and buildings, public and private, for the purpose of inspection, measurement, sampling and testing for violations of this chapter, and of the Rules and Regulations. However, the Superintendent or his/her representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

C.07.03 Compliance with Safety Rules

While performing the necessary work on private properties referred to in Article VII, Section C.07.02 above, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section C.05.10.

C.07.04 Authority to Inspect

The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

C.07.05 Records, Abandonment of Connections

The Superintendent shall maintain accurate and complete records of all public sewers and appurtenances, of all permits issued, and all inspections made. The Superintendent is empowered to require the abandonment and removal of connections to the public storm sewers which violate the provisions of this chapter.

**ARTICLE VIII
INDUSTRIAL COST RECOVERY**

C.08.01 Imposition of Cost Recovery Charge

In the event industrial wastes are introduced into the public sewer system, a system of Industrial Cost Recovery shall be imposed.

C.08.02 Cost Recovery Liability, Exclusions, Assessment, Computation, Appeal, Monitor Disbursal

A) Liability

Industrial users which are liable for Industrial Cost Recovery, as defined, shall include the following:

1. Any nongovernmental, non-residential user of a publicly owned treatment works which discharges process wastes which are more than the equivalent of 25,000 gallons per day (gpd) of normal strength sewage wastes, as defined, and which is identified in the Standard Industrial Classification manual, 1972, Office of Management and Budget, as amended, and supplemental, under one of the following divisions:

Division A. Agriculture, Forestry and Fishing

Division B. Mining

Division D. Manufacturing

Division E. Transportation, Communications, Electric, Gas, and Sanitary Services

Division I. Services

2. Any nongovernmental users of a publicly owned Treatment Works which discharges wastewater to the Treatment Works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure, or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animal, creates a public nuisance, or creates any hazard in, or has an adverse effect on, the waters receiving any discharge from the Treatment Works.

B) Exclusion

For purposes of Industrial Cost Recovery Charge calculations, computations of amounts of industrial wastes shall exclude amounts of domestic wastes and/or wastes from human sanitary conveniences, normally a part of a given industrial waste stream.

C) Assessment

Each industrial use which is subject to Industrial Cost Recovery, will be assessed an Industrial Cost Recovery Charge for use of Public Sewage Works which are funded in part by U.S. EPA Construction Grants received after March 1, 1973. The charge will be levied in accordance with Federal Regulation in force after July 1, 1980 and will be based on waste volume, delivery flow rate, and pollutant loadings as they may affect the capacity of eligible Sewage Works. The City shall reserve the right to adjust said Industrial Cost Recovery Charges to any sewer user that significantly alters its waste volume or delivery flow rate. Affected users shall only be required to pay charges for those years that they use the system and only at an annual rate in proportion to the length of the entire recovery period. The Industrial Cost Recovery period is the time period that is provided to allow industrial users to pay their total Industrial Cost Recovery Charge and shall be equal to thirty (30) years.

D) Calculation & Payment

The Industrial Cost Recovery Charge for each affected industrial user shall be a portion of the Federal construction grant amount equal in proportion to said user's proportionate share of the total capacity of the system in terms of strength, volume and delivery flow rate. Specifically, the total Industrial Cost Recovery Charge shall be determined by the sum of the four following calculations:

- | | | |
|----|--|---|
| 1) | $\frac{\text{Industrial volume contribution per unit of time}}{\text{(divided by) Plant design per unit of time}}$ | * EPA grant portion allocable To volume handling per unit of time |
| | -plus- | |
| 2) | $\frac{\text{Industrial BOD contribution per unit of time}}{\text{(divided by) Plant BOD design capacity per unit of time}}$ | * EPA grant portion To BOD handling per unit of time |
| | -plus- | |
| 3) | $\frac{\text{Industrial suspended solids contribution / unit of time}}{\text{(divided by) Plant suspended solids design Capacity/unit of time}}$ | * EPA grant portion allocable to suspended solids handling per unit of time |
| | -plus- | |
| 4) | $\frac{\text{Industrial phosphorus contribution per unit of time}}{\text{(divided by) Plant Phosphorus design capacity Per unit of time}}$ | * EPA grant portion allocable to phosphorus handling per unit of time |

Industrial Cost Recovery Charges shall be calculated and paid annually in an amount equal to the total Industrial Cost Recovery Charge for an industrial user divided by thirty (30) years.

- E) Appeal of Cost Recovery Charge**
Any industrial user can appeal the Industrial Cost Recovery Charge by submitting such appeal in writing addressed to the City Council who shall review such charges.
- F) Monitoring of Industrial Waste Stream**
For purposes of Industrial Cost Recovery calculations, the affected industrial user shall monitor its industrial waste stream(s), as directed by the City, and no less than quarterly and at the user's expense. The City shall reserve the right to request split samples from the user and analyze the wastes independently, the costs of which shall be borne by the user.
- G) Disbursal of costs recovered (amd Ord 09-01)**
Costs recovered from industrial users shall be deposited by the City in a separate account indentified as the "industrial Cost Recovery Account." Funds shall be distributed from the "industrial Cost Recovery Account" in accordance with U.S. Environmental Protection Agency Rules and in the following manner:
- i) In the event that the system is currently funded by USEPA grant, the City shall retain fifty percent of the total recovered amount. The remainder, together with any interest earned thereon, shall be returned to the U.S. Treasury on an annual basis. If the system is not currently funded by USEPA grant, the City shall retain the entire amount.
 - ii) Eighty percent of the retained amount, together with interest earned thereon, shall be used solely for the eligible costs of expansion or reconstruction of the Treatment Works and only upon written approval of the EPA Administrator, Region V. The remainder of the retained amount may be used as the City so desires.
 - iii) Pending use, the City shall invest the retained amounts for expansion and reconstruction in: (1) obligations of the U.S. government; (2) obligations guaranteed as to principal and interest by the U.S. Government or any agency thereof; or (3) shall deposit said amounts in accounts fully collateralized by obligations of the U.S. Government or any agency thereof.

ARTICLE IX ENFORCEMENT

C.09.01 Written Notice

Any person found to violating any provision of this chapter shall be served by the City 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.

C.09.02 Misdemeanor

Any person who shall continue any violation beyond the time limit provided in Section C.09.01 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not exceeding \$100.00 and/or imprisoned for not more than 90 days for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

C.09.03 Costs

Any person violating any of the provisions of this chapter shall become liable to the City for all expenses, loss or damage occasioned the City by reason of such violation.

C.09.04 Liens

Pursuant to Section 21, Act 904, of Public Acts of Michigan 1933, as amended, whenever the charges for service against any piece of property shall be delinquent for six months, such charges shall be made a lien on the premises serviced by the sanitary sewer system. The City official or officials in charge of the collection of such charges for service shall certify annually, to the tax assessing office of the City, the facts of such delinquency. Such charge shall be entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced, in the same manner as general City taxes against such premises are collected and the lien thereof enforced. Provided, however, where notice is given that a tenant is responsible for such charges and services as provided by said Section 21, no further service shall be rendered for such premises until a cash deposit in the amount of \$50.00 shall have been made as security for payment of such charges and services.

C.09.05 Service Termination

In addition to the foregoing, and any other lawful enforcement methods, the payment of charges for sanitary sewer service to any premises may be

enforced by discontinuing the water and sanitary sewer service. Such services shall not be re-established until all delinquent charges and penalties and turn-on charge to be assessed by the City have been paid. Further, such charges and penalties may be recovered by the City by court action.