

CHAPTER 1048
Wastewater Collection and Treatment

1048.01	Purpose; authority; findings; determinations.	1048.11	Maintenance of public sanitary and building sewers.
1048.02	Definitions.	1048.12	Power and authority of inspectors.
1048.03	Operation, maintenance and control; administration and enforcement.	1048.13	System charges and rates.
1048.04	Use of public sewers required.	1048.14	Operation and maintenance surcharges.
1048.05	Private sewage disposal.	1048.15	Pretreatment fees.
1048.06	Building sewers; connections and repairs.	1048.16	Fiscal year; records; funds.
1048.07	Discharges to the public sewer.	1048.17	Insurance.
1048.08	Damaging the system.	1048.18	Violations.
1048.09	Industrial users.	1048.19	Appeals.
1048.10	Connection of privately constructed sanitary sewer systems to the public system.	1048.20	Falsifying information.
		1048.99	Penalty; equitable remedies.
			Appendix I - Table of Equivalent Unit Factors.

CROSS REFERENCES

- Sewers and sewer systems generally - see Mich. Const., Art. 7, Sec. 24; M.C.L.A. Secs. 46.171 et seq., 67.34, 123.241 et seq., 323.151 et seq., 325.201 et seq.
- Water quality - see Mich. Const., Art. 4, Sec. 52; M.C.L.A. Secs. 67.38, 323.1 et seq.
- Water supply generally - see Mich. Const., Art. 7, Sec. 24; M.C.L.A. Secs. 46.171 et seq., 123.11 et seq., 325.201 et seq., 486.51 et seq., 486.101 et seq.
- Water pollution - see GEN. OFF. 678.04, 678.07
- Water generally - see S.U. & P.S. Ch. 1040
- Water supply cross connections - see S.U. & P.S. Ch. 1042
- Water rates and charges - see S.U. & P.S. Ch. 1044
- Sewer and water connections - see S.U. & P.S. Ch. 1046
- Portable privies - see S.U. & P.S. 1046.07
- Request for delay or relief from payment of utility bills - see S.U. & P.S. 1050.01
- Payment for repairs needed because of alteration or covering of access to water or sewer service - see S.U. & P.S. 1050.02

1048.01 PURPOSE; AUTHORITY; FINDINGS; DETERMINATIONS.

Council hereby makes the following statement of purpose and legislative findings and determinations:

- (a) The purpose of this chapter is to establish and/or re-establish a sanitary sewage disposal system to provide sanitary sewer services and to regulate the discharge of sanitary sewage; to provide for the financing of the costs of improvements, enlargements, extensions and replacements of the sanitary sewer system; to establish the rates and charges for users of the sanitary sewer system; to provide for the rules and regulations regarding the use of the sanitary sewer system; and to provide penalties and enforcement means for violations thereof.

- (b) By establishing and regulating the sewer system, the Village is exercising the authority granted to the Village by Public Act 94 of 1933, as amended; Public Act 278 of 1909, as amended (Home Rule Village Act); and Article 7, Section 24, of the 1963 Michigan Constitution.
- (c) The Village has previously found, and currently reaffirms, that the businesses, industries, governmental and charitable agencies and residents located in the Village need to have sanitary sewer services for the protection of the public health, safety and welfare.
- (d) Based on the advice of its consultants, the Village has previously found, and currently reaffirms, that the most precise method of measuring for use of the sanitary sewer system by any user is by a water meter installed and controlled by the Village.
- (e) The Village has previously found, and, further, currently reaffirms, that, in order to provide and continue to provide a sanitary sewer system capable of collecting and treating wastewater, it is necessary from time to time to install improvements, enlargements, extensions and repairs to the system.
- (f) The Village has previously found, and, further, currently reaffirms, that the rates, fees and charges established in these Codified Ordinances represent a reasonable relationship between the amount of the rate, fee and charge and cost of value of the service or benefit conferred.
(Ord. 2000-6. Passed 3-20-00.)

1048.02 DEFINITIONS.

As set forth herein, the following terms shall have the meanings described in this section, unless the context specifically indicates otherwise:

- (1) "Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.
- (2) "Applicable county health department" means the Huron County Health Department.
- (3) "Attorney" means the Attorney of the Village of Caseville, Huron County, Michigan.
- (4) "Available public sanitary sewer system" means a public sanitary sewer system located in a right of way, easement, highway, or public way which crosses, adjoins, abuts, or is contiguous to the realty involved and passes not more than 200 feet at the nearest point from a structure in which sanitary sewage originates, or, in the case of all other real estate or land, is located in a street, road, highway, right of way, easement, or public or private way crossing, adjoining, abutting, or contiguous to any realty land within a special assessment district heretofore or hereafter created, on which is located a structure in which sanitary sewage originates.
- (5) "B.O.D." means the biochemical oxygen demand, which is the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at twenty degrees Centigrade, expressed as milligrams per liter.
- (6) "Building sewer" means the sewer that connects the building or structure in which wastewater originates to the public sewer and conveys the sewage from the building or structure to the public sewer.

- (7) "Capacity charge" means, in addition to any other assessments, costs or levies hereunder, a charge for capacity utilization and or reservation which shall be levied for all residential dwellings, and for each residential equivalent in excess of one residential equivalent for multiple-dwellings and commercial or industrial facilities. The amount of said charge shall be as hereinafter set forth. Premises other than single-family residences shall pay a connection charge in the amount of the "capacity charge" multiplied by the factor developed in the formula established by the Table of Unit Factors pursuant to Section 1048.13(a)(2).
- (8) "Commercial users" means any establishment being involved in a commercial enterprise, business or service which, based upon a determination by the Village Council, discharges primarily segregated domestic wastes or wastes from sanitary conveniences, and which is not a residential or industrial user.
- (9) "Compatible pollutant" means a substance amenable to treatment in a publicly owned wastewater treatment plant, such as biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit of the publicly owned treatment works (POTW), which treatment works is designed to treat such pollutants and which does in fact remove such pollutants to a substantial degree. Such additional pollutants may include, but not be limited to: chemical oxygen demand, total organic carbon, phosphorous and phosphorous compounds, nitrogen and nitrogen compounds, fats, oils, and greases of animal or vegetable origin.
- (10) "County" means the County of Huron, State of Michigan.
- (11) "Debt service charge" means the charge assessed users of the system which is used to pay principal, interest, and administrative costs of retiring the debt incurred for the construction of the local portion of the system.
- (12) "Direct connection" means the connection of a premises wherein sanitary sewage originates directly to sewer lines constructed by or dedicated to the Village.
- (13) "Garbage" means solid waste from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- (14) "Governmental user" means a facility connected to a sanitary sewer system which is occupied by governmental offices or any other facility that provides governmental services at public expense.
- (15) "Incompatible pollutant" means any pollutant which is not a compatible pollutant.
- (16) "Indirect connection" means the connection of any premises to any sewer lines not originally comprising the sewer system constructed by the Village but connecting thereto, e.g., premises served by subdivision and mobile home park sanitary sewers which in turn connect to public sewers.
- (17) "Industrial user" means any manufacturing or processing facility discharging wastewater to a public sanitary sewer system, or any trade or process which discharges wastewater to a public sanitary sewer system and which may contain toxic or poisonous substances or may contain any substance which may inhibit or disrupt any sanitary sewer system, wastewater treatment system or disposal system for solid wastes which are generated in a publicly owned treatment works.

- (18) "Industrial wastes" means the wastewater discharges from industrial, manufacturing, trade or business processes, as distinct from their employees' domestic waste or waste from sanitary conveniences.
- (19) "Institutional user" means any establishment listed in the SICM involved in a social, charitable, religious, or educational function which, based on a determination by the Village, discharges primarily segregated domestic wastes or wastes from sanitary conveniences.
- (20) "Major contributing industry" means an industrial user of the publicly owned treatment works that meets one or more of the following:
 - A. Has a flow of 50,000 gallons or more per average work day;
 - B. Has a flow greater than five percent of the flow carried by the Municipal system receiving the waste;
 - C. Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Water Pollution Control Act;
 - D. Was found by the permit issuance authority in connection with the issuance of an NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on the treatment works or upon the quality of effluent emanating from said treatment works.
- (21) "mg/l" means milligrams per liter.
- (22) "Multiple residential dwelling" means a dwelling in which more than one family resides.
- (23) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- (24) "Normal domestic strength wastewater" means a sewage or other wastewater effluent which shall be a compatible pollutant, as defined in paragraph (9) hereof, and with B.O.D. of 300 milligrams per liter or less, suspended solids of 350 milligrams per liter or less, and total phosphorous of twelve milligrams per liter or less.
- (25) "NPDES permit" means a permit issued pursuant to the National Pollution Discharge Elimination System prescribed in PL 92-500.
- (26) "O & M charge" means the charge assessed to users of the system for the cost of operation and maintenance (including the cost of replacement) of the system pursuant to Section 204b of PL 92-500.
- (27) "Operation and maintenance (O & M)" means all work, materials, equipment, utilities and other effort required to operate and maintain the system, including the cost of replacement, wastewater collection, transportation, and treatment of effluent consistent with adequate treatment of wastewater to produce an effluent in compliance with the NPDES permit and other County, State and Federal regulations, if any.

- (28) "Person" means any individual, firm, company, partnership, association, society, group or corporation.
- (29) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- (30) "Plumbing Inspector" or "Inspector" means the appointed Inspector of the Village.
- (31) "Private sewage disposal systems" means any septic tank, lagoon, cesspool, or other facilities intended or used for the disposal of sanitary sewage other than via the public sanitary sewer.
- (32) "Properly shredded garbage" means the waste from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the public sewers with no particles greater than one-half inch in any dimension.
- (33) "Property owner" means the person or persons having legal title to the premises according to the Village tax records and shall include, in the case of land contract sale, the land contract vendee or vendees, provided that the Village has been furnished with a copy of said land contract or assignment thereof.
- (34) "Replacement" means the obtaining and installing of any equipment, accessories, and appurtenances which are necessary during the service life of the system to maintain the capacity and performance to which such system was designed and constructed and to preserve its financial integrity.
- (35) "Residential equivalent" or "equivalent unit" means the factor representing a ratio of the estimated sewage generated by each user class to that generated by the normal single-family residential user. The designation "RE" means "residential equivalent."
- (36) "Residential user" means the user of the system whose premises or building is used primarily as a residence for one or more persons, including dwelling units such as detached or semi-detached units, row houses, mobile homes, apartments, or permanent multi-family dwellings. For purposes of this chapter, transient lodgings shall be considered to be a commercial use.
- (37) "Sanitary sewage" means the liquid or water-carried waste discharged from sanitary conveniences of dwellings, (including apartment houses, motels and hotels), office buildings, factories, or institutions.
- (38) "Sanitary sewer" means the sewer which carries sanitary sewage and into which storm water, surface and ground waters are not intentionally admitted.

- (39) "Sewage" means any combination of sanitary sewage, storm water, industrial waste, and uncontaminated industrial waste, or any of them.
- (40) "Sewage treatment plant" means any arrangement of devices or structures used for the treating of sewage.
- (41) "Sewer" means a pipe or conduit and appurtenances for transmitting or carrying sanitary sewage, including any devices necessary for pumping, lifting, or collecting such sewage.
- (42) "Sewer service charge" means the charge to users of the sewage collection and treatment system and shall be the sum of the O & M charge plus the debt service charge.
- (43) "Shall" and "may" shall have the following meanings: "shall" is mandatory; "may" is permissive.
- (44) "Special assessment district" means any special assessment district for the Village wastewater collection system which was established by a resolution of the Village Council for the purpose of defraying, in whole or in part, the cost of the system.
- (45) "Standard industrial classification (SIC)" means a classification pursuant to the Standard Industrial Classification Manual (SICM) issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (46) "Storm sewer" means a sewer intentionally designed for receiving and conveying storm, surface and groundwater and into which sanitary sewage shall not be admitted.
- (47) "Structure in which sanitary sewage originates" means 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.
- (48) "Superintendent" means the Superintendent of the Village wastewater collection and treatment system, which includes all sewers, pumps, lift stations, treatment facilities or other facilities and appurtenances used or useful in the collection, transportation, treatment and disposal of domestic, commercial or industrial wastes, and all easements, rights and land for same and including all extensions and improvements thereto which may hereafter be acquired or constructed.
- (49) "Surcharge" means the additional charge which a user discharging wastewater having strength in excess of the limits set by the Village for transmission and treatment within the sanitary sewage system will be required to pay to meet the cost of treating such excessively strong wastewater.
- (50) "Suspended solids" means solids that either float on the surface of, or are suspended in, the water, sewage or other liquids and which are removable by laboratory filter.

- (51) "System" means the complete Village wastewater collection and treatment system.
- (52) "Table of Equivalent Unit Factors" means that Table which is referred to in Section 1048.13(a)(2) and is adopted by the Village and utilized to identify the various classifications of sewer users and stating as residential equivalents (or RE) the ratio of such use of the system to that of a single-family residence.
- (53) "Village" means the Village of Caseville, Michigan.
- (54) "User charge" means the charge levied on users of the system for the cost of operation and maintenance of such work pursuant to Section 204b of P.L. 92-500, which charge shall also include cost of replacement.
- (55) "User class" means the kind of user connected to the sanitary sewers, including, but not limited to, commercial, governmental, industrial, institutional, and residential users, as defined in this section.
- (56) "Wastewater" means water which contains, or previous to treatment has contained, pollutants, such as sewage and/or industrial wastes.
- (57) "Watercourse" means an open channel, either natural or artificial, in which a flow of water occurs, either continuously or intermittently.
(Ord. 90-2. Passed 8-2-90.)

1048.03 OPERATION, MAINTENANCE AND CONTROL; ADMINISTRATION AND ENFORCEMENT.

(a) The operation and maintenance of the system shall be under the supervision and control of the Village and/or any County/Drainage District contract, which shall be agreed upon between the Village and the County. Pursuant to the terms of this chapter and such contracts, the Village has retained the exclusive right to establish, maintain, and collect rates and charges for sewage collection, treatment, transmission and debt service, and in such capacity the Village may employ such person or persons in such capacity or capacities as it deems advisable, and may make such rules or regulations as it deems advisable and necessary to assure the efficient establishment, operation and maintenance of the system, to discharge its financial obligations, and to collect rates and charges as herein provided.

(b) The Village Council is charged with the responsibility of administering the system and enforcing this chapter. (Ord. 90-2. Passed 8-2-90.)

1048.04 USE OF PUBLIC SEWERS REQUIRED.

(a) Mandatory Connection Requirement. Each and every owner of property on which is located a structure in which sanitary sewage originates, shall, at his or her own expense, install suitable toilet facilities in said structure, and shall cause such facilities to be connected to the available public sanitary sewer system.

(b) Connection Procedures.

- (1) Such connection shall be completed promptly but in no case later than ninety days from the date of the occurrence of the last of the following events:
 - A. Publication of a notice by the Village of the availability of the public sanitary sewer system in a newspaper of general circulation within the Village and the mailing of written notice indicating the availability of the public sanitary sewer to the owner or any one of the owners in case of co-ownership of the property in question.
 - B. Modification of a structure so as to become a structure where sanitary sewage originates.
- (2) If the property owner on which is located a structure in which sanitary sewage originates does not complete connection to an available sanitary sewer within the ninety-day period described in paragraph (b)(1) hereof, the Village shall notify said person by written notice that connection to the system is required forthwith. The giving of said notice shall be made by first class or certified mail to the property owner on which the structure is located or by posting such notice on the property. The notice shall provide the owner with the approximate location of the public sanitary sewer system which is available for connection of the structure involved and shall advise the owner of the requirements and the enforcement provisions of this chapter and Sections 12751 through 12758 of Act 368 of the Public Acts of Michigan, 1978, as amended.

(c) Adverse Weather Exception for Late Connection. In the event the property owner is unable to connect to the system within the time prescribed by this chapter due to or on account of inclement or adverse weather conditions, said property owner may appeal to the Village to allow said person additional time in which to connect without penalty and without civil and criminal proceedings being initiated against him or her. The foregoing notwithstanding, this appeal shall be made in writing within ten days of notice of sanitary sewer availability as hereinbefore set forth.

(d) Enforcement of Mandatory Connection Requirements.

- (1) Penalties for late connection. Failure or refusal to connect to the system within the time prescribed herein shall result in the property being charged a penalty of three hundred dollars (\$300.00) for each single-family residential unit, multiplied by the number of units and/or multiplying factors as established by the Table of Equivalent Unit Factors.

- (2) Civil penalties to compel connection. Where any structure wherein sanitary sewage originates is not connected to the system ninety days after the date of mailing or otherwise serving notice to connect as hereinbefore set forth, the Village may bring an action for mandatory injunction or injunctive order in any court of competent jurisdiction in the County of Huron to compel the owner of the property on which said property is located to connect to the system. The Village may charge in such action or actions any number of owners of such properties to compel said person or persons to connect to the system. (Ord. 90-2. Passed 8-2-90.)

1048.05 PRIVATE SEWAGE DISPOSAL.

(a) Without prior consent of the Village Council, it shall be unlawful for any person to place, deposit, or permit to be deposited upon any public or private property within the Village (or any area under its jurisdiction) any human excrement, garbage, or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet any sanitary sewage, industrial waste, or other polluted water, except where suitable treatment has been provided in accordance with the provisions of this chapter.

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

(d) Where a public sanitary sewer is not available under the provisions of Section 1048.04, the building sewer shall be connected to a private sanitary sewer disposal system which shall be approved by the Huron County Health Department, or such other health department having jurisdiction.

(e) At such time as the public sanitary sewer system becomes available to premises served by a private sewage disposal system, connection to the public system shall be made in compliance with this chapter, and any septic tanks, cesspools and similar private disposal facilities located thereon shall be abandoned and discontinued for sanitary sewage disposal use.

(f) All private sewage disposal systems maintained in compliance with this chapter shall be maintained in a sanitary manner at all times at the sole expense of the owner thereof.

(g) All abandoned private sewage disposal systems shall be completely filled with earth, sand, gravel, concrete or other approved material. Upon the abandonment or discontinuation of use of a septic tank or privy, the sewage and sludge contents thereof shall be completely removed and disposed of by a septic tank cleaner who is duly licensed under the provisions of Act 181 of the Public Acts of 1986, as amended. The tank, or the pit in the instance of a privy, shall be treated with at least ten pounds of chlorinated lime or other chemical disinfectant acceptable to the Huron County Health Department. Then the tank or pit shall be completely backfilled with approved material and made safe from the hazard of collapse or entrapment.

(Ord. 90-2. Passed 8-2-90.)

(h) The use of portable privies, such as port-a-johns, shall be prohibited in the Village unless prior approval therefor has been obtained from the Office Administrator under policies set forth by Council (see Section 1046.07).

(Res. 98-36. Passed 4-13-98.)

1048.06 BUILDING SEWERS; CONNECTIONS AND REPAIRS.

(a) Building Sewer Regulations.

- (1) A separate and independent building sewer (lead) shall be provided for every building in which sanitary sewage originates.
- (2) All costs and expenses incident to the installation of the building sewer and the connection of same to the public sewer shall be borne by the property owner.
- (3) All building sewers (leads) shall meet or exceed all requirements of this chapter.
- (4) Building sewers hereinafter installed shall consist of pipes and fittings of the following types and sizes:
 - A. Pipe must be of sufficient diameter to carry the estimated volume of discharge. Minimum pipe size permitted is six-inch ID within the public right-of-way. For single-family residences the use of four-inch ID pipe on private property behind the street right-of-way shall be acceptable. All commercial and multi-family residences shall be six-inch minimum ID pipe.
 - B. Pipe must be constructed from one of the following materials and cannot be mixed in the connection lines to include the fittings.
 1. Extra strength vitrified clay pipe with ASTM 425 joints;
 2. Cast iron soil pipe with "no-hub" type joints;
 3. Ductile iron with rubber-type gaskets slip joint or mechanical joint;
 4. Polyvinyl chloride pipe (PVC) Type 1, Schedule 40 ASTM D 1785 solvent weld joints;
 5. Polyvinyl chloride pipe (PVC) ASTM D 3034 (SDR35) with ASTM D 3212 push-on type joints.
 6. Truss Pipe:
 - a. Truss pipe conforming to ASTM 2680.
 - b. Joints shall be compression type conforming to ASTM D 3212.
 - c. Service leads shall be 23.5.

- C. No tees, double tees, or crosses, or double-hub pipes, shall be permitted; and
 - D. All changes in grades shall be made with appropriate one-eighth bends.
- (5) Cleanouts shall be installed every ninety feet of straight run and at each ninety degree direction change (two forty-five degree connections). All cleanouts shall be plugged, and shall be accessible at any time. All new sewer connections shall have an outside cleanout within ten feet of the building.
 - (6) All lines shall be laid at a minimum one-eighth inch per foot grade and a maximum one-half inch per foot grade for six-inch building sewers.
 - (7) The method to be used in excavating, placing of pipe, jointing, testing, and backfilling the trench, shall conform to the requirements of the Plumbing Code Rules (Part 7) issued by the Michigan Department of Labor Construction Code Commission.
 - (8) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewerline shall be laid parallel to the building, within three feet of the outside bearing wall, except a direct connection for the building. The depth shall be a minimum of forty-two inches from the top of the pipe, whenever possible.
 - (9) In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by a pumping system and discharged to the building sewer.
 - (10) All excavation for building sewer installation, connection and repair shall be pursuant to appropriate permits and shall be adequately guarded by barricades and lighting so as to protect the public from hazard. Streets, sidewalks, alleys, parkways, and other property disturbed in the course of the installation and construction work shall be restored in a manner satisfactory to the relevant municipality.
 - (11) All building sewers servicing a building containing more than two residential units shall, in addition to the other requirements provided for herein, be air tested, at the Village's discretion, and approved by the Village.
 - (12) The connection of the building sewer to the public sewer shall be made at the wye branch or manhole designed for that property if such outlet is available at a suitable location. Any connection not made at the designated outlet in the main sewer shall be done in accordance with the requirements of the Village engineers.

(b) Connection Regulations.

- (1) No person shall uncover, make any connections with or openings into, alter or disturb any public sewer, building sewer, or appurtenance thereto without first obtaining a written connection permit from the Village.
- (2) The fee, if any, for the connection permit shall be an amount established by ordinance or resolution of the Village.
- (3) The owner or contractor applying for a connection permit will receive three copies of the permit, one copy each for the contractor and the property owner, with the third copy to be returned to the Village with a sketch of the installation on the back showing all dimensions, directions, and other important information concerning the installation. The latter copy will remain the property of the Village.
- (4) No connection to the system will be permitted unless there is capacity available in all downstream sewers, lift stations, forcemains, and the sewage treatment plant, including capacity for the treatment of B.O.D. and suspended solids.
- (5) All connections and/or repairs to the system will be made by a contractor or licensed plumber registered with the Village provided, however, that a property owner may make his or her own installation and connection so long as he or she has secured a connection permit.
- (6) All contractors and plumbers making connections and/or repairs to the system shall file a license and/or a permit bond with the Village in the amount of ten thousand dollars (\$10,000) or such amount as the Village shall require, and in addition shall provide the Village with a copy of their plumber's or contractor's license from the State of Michigan, if such license is required by the State, and a copy of their liability insurance policy (providing a minimum of one hundred thousand/three hundred thousand dollars (\$100,000/\$300,000) personal liability protection and five hundred thousand dollars (\$500,000) property damage protection) prior to performing any connections or repairs to the system. Said bond shall indemnify the Village against all losses or damages caused the Village by reason of the contractor's or plumber's breach of the provisions of this chapter or any rule or regulation relating thereto. The Superintendent may, upon notice of a violation, revoke the connection permit issued by the Village under this section. Said revocation shall become final unless the permit revocation is reversed by the Village.

- (7) No person shall connect roof downspouts, foundation drains, areaway drains, swimming pool drains, or any sources of surface or ground water to a building sewer which in turn is connected to the Village sanitary sewer system.
- (8) No building sewer shall be covered until after it has been inspected and approved by authorized personnel of the Village or its designee.
- (9) Any construction of a sanitary sewer within the public right of way which is required after completion and acceptance of the public system described herein shall be charged to the property owner requesting connection. Said charge shall be the actual cost of such construction plus ten percent thereof for administrative expense. Payment shall be made as follows:
 - A. Not less than fifty percent of the estimated cost shall be deposited with the Village prior to commencement of construction; and
 - B. The balance, if any, of said costs and administrative fees shall be paid upon completion of construction.(Ord. Unno. Passed 4-12-99; Ord. 2001-04. Passed 2-21-01; Ord. 2003-13. Passed 10-13-03.)

1048.07 DISCHARGES TO THE PUBLIC SEWER.

- (a) Storm, Ground and Unpolluted Water.
 - (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, or roof water to any sanitary sewer.
 - (2) Storm water, ground water and all other unpolluted drainage (including non-contact industrial cooling water) shall be discharged into storm drains or into a natural outlet suitable for said purpose.
- (b) Prohibited Discharges: Preliminary Treatment.
 - (1) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
 - A. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
 - B. Any water or waste which may contain more than 100 milligrams per liter, by weight, of fat, oil or grease.
 - C. Any gasoline, benzine, naphtha, fuel oil or other flammable or explosive, liquid, solid, or gas.
 - D. Any garbage that has not been properly shredded.
 - E. Any ashes, cinders, sand, mud, straw, shaving metal, glass, rags, feathers, tar, plastics, woods, paunch manure or any other solid or viscous substance capable of causing obstruction to flow in sewers or other interference with the proper operation of the sewage works.

- F. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, or to constitute a hazard to humans or animals, or to create any hazard in the receiving waters of the treatment facility.
 - G. Any noxious or malodorous gas or substance capable of creating a public nuisance.
 - H. Any industrial waste that may cause a deviation from the NPDES permit requirements, pretreatment standards, and all other State and Federal regulations.
 - I. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (2) Prohibitions of this chapter shall conform to Section 307A of the Clean Water Act. 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 Village, that such wastes can or will harm either the sewers, sewage treatment processes or equipment, have an adverse effect on the receiving stream, or otherwise endanger life, limb or health or constitute a nuisance. Such prohibited matter or substances shall include the following:
- A. Discharges containing a five-day BOD greater than 300 mg/l or containing more than 350 mg/l of suspended solids;
 - B. Discharges containing any quantity of substances having the characteristics described in paragraph (b)(1) hereof;
 - C. Discharges having a chlorine demand of more than fifteen milligrams per liter; or
 - D. Discharges having an average daily flow greater than two percent of the average daily flow tributary to Village of Caseville wastewater treatment facility.
- Discharges having a total phosphorous concentration greater than twelve milligrams per liter as phosphorus shall be subject to review and approval for acceptance by the Village.
- (3) Preliminary treatment shall be provided, at no expense to the Village, as may be necessary to reduce the B.O.D. to 300 mg/l and suspended solids to 350 mg/l, or to reduce objectionable characteristics of said effluent to within the maximum limits

provided for in paragraph (b)(1) hereof, or to control the quantity and rates of discharges of such waters or wastes. On direction of the Village, a person may be required to remove, exclude, or require pretreatment of any industrial waste, in whole or in part, for any reasons deemed to be in the Village's interest. Where preliminary treatment facilities are provided for any water or wastes, they shall be maintained in satisfactory and effective operation at no expense to the Village. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for approval to the Village, and no construction of such facility shall be commenced until said approvals are obtained in writing. The Village may elect to treat industrial wastes, discharged in excess of normal domestic concentrations, on a basis prescribed by written agreement and for an established charge to cover the added cost. All such preliminary treatment or pretreatment shall be in accordance with Federal and State laws and regulations.

(c) Grease, Oil and Sand Interceptors (Traps).

- (1) Grease, oil and sand interceptors (traps) shall be provided at the expense of the property owner when liquid wastes may contain grease, oil, and sand in excessive amounts. All interceptors shall be of a type and capacity approved by the Village and shall be located as to be readily and easily accessible for cleaning and inspection. Grease, oil and sand interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme change in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted into place, shall be gastight and watertight.
- (2) Where installed, all grease, oil and sand interceptors (traps) shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(d) Industrial Wastes.

- (1) The owner of any property served by a building sewer carrying industrial wastes may be required by the Village to install a suitable control manhole or other structure in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, or structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Village. The manhole or structure shall be installed by the owner at his or her expense and shall be maintained by him or her so as to be safe and accessible at all times.

- (2) All measurements, tests and analyses of the characteristics of waters and wastes to which references are made in subsection (b) hereof shall be determined in accordance with Standard Methods for Examination of Water and Wastewater and Guidelines Establishing Test Procedures for the Analysis of Pollutants, Federal Regulations, 40 CFR 136, published in the Federal Register on October 16, 1973, and shall be determined at the control manhole or structure provided for in paragraph (d)(1) hereof.
- (e) Accidental Discharges.
 - (1) Protection plans required. Where required, a user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's cost. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Village Engineer for review and shall be approved by the Village before construction of the facility. All required users shall complete such a plan within ninety days after the effective date of this chapter. In the alternative, non-domestic users that currently have State required "Pollution Incident Prevent Plans" (PIPP) may submit the PIPP plan in satisfaction of this requirement. If required by the Village, a user who commences contributions to the system after the effective date of this chapter shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Village. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility of modifying the user's facility as necessary to meet the requirements of this chapter. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the Superintendent of the incident. The notification shall include the location of the discharge, the type of waste, the concentration and volume, and the corrective action taken.
 - (2) Written notice. Within five days following an accidental discharge, the user shall submit to the Superintendent of the system a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future

occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the system, fish kills or any other damage to persons or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this chapter or other applicable law.

- (3) Verbal notice. Any industrial user hereunder, in the event of an accidental or other unauthorized discharge of prohibited materials to the system, shall immediately notify the Village of the fact of such discharge and shall:
 - A. Describe with particularity the approximate time of the discharge;
 - B. Describe the nature, chemical and biological make-up and characteristics of the discharge, if known; and
 - C. Indicate the approximate quantity of the discharge.

In addition, said industrial user shall, at its own expense, take all steps directed by the Village to terminate such discharge and prevent its recurrence. Failure to cooperate fully with the Village in the prevention of additional prohibited discharges, including such pretreatment as required, may result in termination of service and revocation of the permits required herein.

- (4) Notice to employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees of whom to call in the event of a dangerous discharge. Employers shall insure that all employees who could cause or suffer from such a dangerous discharge are advised of the emergency notification procedure.

(Ord. 90-2. Passed 8-2-90.)

1048.08 DAMAGING THE SYSTEM.

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with the system or any component thereof.

(Ord. 90-2. Passed 8-2-90.)

1048.09 INDUSTRIAL USERS.

Any industry or structure discharging or desiring to discharge industrial waste to the system shall provide the Village with the following information or material:

- (a) A written statement setting forth the nature of the enterprise, the source and amount of water used, the amount of water to be discharged, with its present or expected bacterial, physical, chemical, radioactive, or other pertinent characteristics of the wastes.

- (b) A plan map of the building, works, or complex with each outfall to the surface water, sanitary sewer, storm sewer, natural watercourse, or ground water noted and described, and the waste stream identified.
- (c) Test samples and reports to the Village and to the appropriate State agencies on characteristics of wastes on a schedule, at locations and according to methods approved by the Village and the State of Michigan.
- (d) A statement that waste treatment facilities, process facilities, waste streams, or other potential waste problems have been placed under the specified supervision and control of persons who have been certified by an appropriate State agency as properly qualified to supervise such facilities.
- (e) Reports on raw materials entering the process or support systems, intermediate materials, final products and waste by-products as these factors may pertain to waste control.
- (f) Records and file reports maintained on the final disposal of specified liquids, solids, sludges, oils, radioactive materials, solvents, or other wastes.
- (g) If any industrial process is to be altered as to include or negate a process waste or potential waste, written notification shall be given to the Village, subject to approval by the Village and by appropriate State of Michigan agencies.
(Ord. 90-2. Passed 8-2-90.)

1048.10 CONNECTION OF PRIVATELY CONSTRUCTED SANITARY SEWER SYSTEMS TO THE PUBLIC SYSTEM.

Before any sanitary sewer system constructed by private, as distinguished from public, funding, hereinafter referred to as private sanitary sewers, shall be permitted to be connected to the public system, the owner of said system, hereinafter referred to as the developer, shall do and provide the Village with the following:

- (a) Provide the Village with the developer's plans and specifications for construction, an estimate of the cost of construction, and a performance bond, and deposit with the Village the sum of one percent of the cost of construction to cover the cost of hiring a registered professional engineer to review plans and specifications, which monies shall be placed by the Village in an escrow account in the name of said developer.
- (b) Obtain approval of the Village Council of the plans and specifications.
- (c) Secure all necessary permits for construction.
- (d) Upon commencement of construction of the private sanitary sewer, deposit with the Village in the escrow account referred to in subsection (a) hereof a sum of five percent of the cost of construction to cover the anticipated cost of inspection of construction and payment of connection charges.

- (e) Upon completion of construction of the private sanitary sewer to the system, the performance bond, upon recommendation of the City Engineer and approval of the City Council, shall be released, and any monies remaining in the developer's escrow account shall be returned to the developer. Any additional expenses incurred by the City in assuring the City that the private sanitary sewer is properly operating shall be deducted therefrom or charged directly to the developer, at the option of the City.
(Ord. 90-2. Passed 8-2-90.)

1048.11 MAINTENANCE OF PUBLIC SANITARY AND BUILDING SEWERS.

The City shall be responsible for cleaning and maintaining public sanitary sewers, but shall not clean and maintain building sewers. Building sewers shall extend from buildings to public sanitary sewers and shall include wyes or tees for connection to public sanitary sewers.

(Ord. 90-2. Passed 8-2-90.)

1048.12 POWER AND AUTHORITY OF INSPECTORS.

(a) Duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements sampling and testing in accordance with the provisions of this chapter.

(b) Duly authorized employees of the City may enter at all reasonable times in or upon private or public property for the purpose of inspecting and investigating conditions or practices which may be in violation of this chapter or detrimental to the system.

(c) No owner or occupant shall build, construct or take any other action that will deny the City access to the water and/or sewer right-of-way on his or her property. Any building, fence, shrub, tree, plant or other obstacle hindering the City's access to the water and/or sewer right-of-way shall be removed at the expense of the owner or occupant, and the owner or occupant shall be liable to the City for the cost of removal of the obstacle at a rate and amount to be set by Council.

(d) Duly authorized employees of the City shall inspect the on-site work occurring by reason of any system permit. Such person shall have the right to issue a cease and desist order on the site upon finding a violation of said permit or of this chapter. The order shall contain a statement of the specific violation, the appropriate means of correcting the same and the time within which such correction shall be made.

(Res. 96-67. Passed 6-10-96.)

1048.13 SYSTEM CHARGES AND RATES.

(a) Generally. Upon adoption of this chapter by the City Council of the City of Caseville, charges for sewage transmission, treatment and disposal and debt service to each user connected to the system shall be as currently established by ordinance and/or resolution of the City Council, which rate, resolution or ordinance is hereby expressly confirmed as applicable to sewage transmission and treatment, disposal and debt service currently charged to each user connected to the system. All bills for service hereunder shall be rendered to the property owners or land contract vendees of the property using said sanitary sewer service.

- (1) Single-family homes. Each single-family residential premises shall be presumed to generate a flow to the City sanitary sewer system of 222 gallons per day of average flow, or 20,000 gallons per quarter.
- (2) Table of Equivalent Unit Factors. For all other uses of the system, and except as otherwise provided herein, the City hereby adopts a Table of Equivalent Unit Factors for the City of Caseville wastewater collection and treatment system, which Table follows this chapter as Appendix I. Said Table shall set forth and identify the use class and all applicable factors to be multiplied by the quarterly charge established for single-family residential premise, which is herein designated as a residential equivalent (RE). Said table may be modified or amended from time to time by resolution of the City.

(Ord. 90-2. Passed 8-2-90.)

- (3) User charges; meters. User charges shall be as follows:

A. Metered users. All users shall have water meters, which shall be the basis for measuring wastewater discharge to the City wastewater facilities. Meters shall be read monthly or at such other period as may be determined by the City.

System operation, maintenance and replacement (OM&R) shall be funded solely by the user charges. OM&R shall be equal for all users, both inside and outside the City.

Separate water meters shall be used for lawn sprinkling if that water is not to be charged as wastewater flow.

User charges may be modified from time to time by resolution of the City Council.

(Res. 2001-17. Passed 2-21-01; Ord. 2010-04. Passed 8-9-10.)

- B. Flat rate charge for nonmetered users. All nonmetered users of the sewer system shall be charged a flat rate charge each quarter based upon typical water usage. Initially, flat rate charges shall be as provided in the following table: