

VILLAGE OF DANSVILLE

ORDINANCE NO. 22

(enacted February 13, 1984)

AN ORDINANCE TO PROVIDE FOR THE ACQUISITION, OPERATION, AND MAINTAINANCE OF A WASTEWATER TREATMENT SYSTEM FOR THE VILLAGE OF DANSVILLE: TO PROVIDE FOR THE OWNERSHIP, OPERATION OF, AND MANDATORY CONNECTION TO, SAID SYSTEM: TO REGULATE THE DISCHARGE OF WATER AND SEWER INTO SAID SYSTEM: TO PROHIBIT PRIVATE SEWAGE DISPOSAL SYSTEMS AND EXCEPTIONS THERETO: TO PROVIDE RATES AND CHARGES TO BE LEVIED UPON USERS OF THE SYSTEM AND FOR CONNECTION THERETO: FOR CAPACITY UTILIZATION AND INSPECTION AND FOR COST RECOVERY SURCHARGES: TO ESTABLISH ADMINISTRATIVE AND FINANCIAL PROCEDURES FOR THE OPERATION OF THE SYSTEM AND THE DISCHARGE OF OBLIGATIONS INCURRED IN CONNECTION THEREWITH" TO DEFINE TERMS, AND PROVIDE REMEDIES AND PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, AND TO PROVIDE FOR AN EFFECTIVE DATE HEREOF.

THE VILLAGE OF DANSVILLE ORDAINS:

SECTION 1. TITLE. This Ordinance shall be known as the "Village of Dansville Wastewater Collection and Treatment System Ordinance".

SECTION 2. DEFINITIONS. As set forth herein the following terms shall have the meanings described in this Section unless the specifically indicated otherwise;

1. "Attorney" shall mean the Attorney for the Village of Dansville.
2. "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 two hundred (200) feet at the nearest point from a structure in which sanitary sewage originates;

2. 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 the Service Area heretofore created, on which is located a structure in which sanitary sewage originates.
3. "B.O.D." shall mean the biochemical oxygen demand which is the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty (20°) degrees Centigrade, expressed as milligrams per litre.
4. "Building Sewer" or "Lead" shall mean the sewer that connects the building in which sanitary sewage originates to the public sewer or other place of disposal and conveys the sewage of one building.
5. "Commercial Users" shall mean any establishment being involved in a commercial enterprise, business or service which discharges primarily segregated domestic wastes or wastes from sanitary conveniences.
6. "Compatible Pollutant" shall mean 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 designed to treat such pollutants and which does in fact remove such pollutants to a substantial degree,

6. including but not 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.
7. "County" shall mean the County of Ingham, State of Michigan.
8. "County Health Department" shall mean the Ingham County Health Departments, State of Michigan.
9. "Debt Service Charge" or "Debt Retirement" shall mean the charge assessed users of the system to pay the principal, interest, and administrative costs of retiring the debt incurred for the construction of the local portion of the system.
10. "Direct Connection" shall mean the connection of a dwelling unit or building wherein sanitary sewage originates directly to sewer lines constructed by the Village.
11. "Dwelling Unit" shall mean a room or group of rooms located within a dwelling forming a single habitable unit with facilities used or intended to be used by a single family for living, sleeping, cooking, and eating purposes.
12. "Garbage" shall mean waste from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

13. "Governmental User" shall mean a facility connected to a sanitary sewer system and which is occupied by governmental offices or any other facility that provides governmental services at public expense.
14. "Incompatible Pollutant" shall mean any pollutant which is not a compatible pollutant.
15. "Indirect Connection" shall mean the connection of any premises or building to any sewer lines not originally comprising the system constructed by the Village, including connections to sanitary sewers from subdivision or mobile home park sanitary sewer systems.
16. "Industrial User" shall mean 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 sewage 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 wastes which are generated in a public owned treatment works.
17. "Industrial Wastes" shall mean the wastewater discharges from industrial, trade or business processes as distinct from their employees' domestic waste or waste from sanitary conveniences.

18. "Institutional User" shall mean a hospital, detention facility, medical care facility, church or school that has or provides care or services for persons but which is not a residential user.
19. "Multiple Residential Dwelling" shall mean a residence in which more than one family resides.
20. "MG/L" shall mean milligrams per litre.
21. "Major Contributing Industry" shall mean an industrial user of the publicly owned sewage works that:
 - (a) has a flow of 50,000 gallons or more per average work day; and/or
 - (b) has a flow greater than five (5%) percent of the flow carried by the municipal system receiving the waste; or
 - (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; or
 - (d) as found by the permit issuance authority in connection with the issuance of an NPDES Permit to the publicly owned sewage 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.
22. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

23. "Normal Domestic Strength Wastewater" shall mean a sewage or other wastewater effluent which is a compatible pollutant as defined in Item 11 of this Section and with BOD of 300 milligrams per litre or less, suspended solids of 350 milligrams per litre or less, and total phosphorous of 10 milligrams per litre or less.
24. "NPDES Permit" shall mean a permit issued pursuant to the National Pollution Discharge Elimination System prescribed in P.L. 92-500.
25. "O & M Charge" shall mean the charge assessed to users of the system for the cost of operation and maintenance, including the cost of replacement of the system.
26. "Operation, Maintenance and Replacement (O, M & R)" shall mean all work, materials, equipment, utilities and other efforts required to operate and maintain the system, including the cost of replacement, wastewater collection, transportation, and treatment of wastewater to produce an effluent in compliance with the NPDES Permit and other county, state and federal regulations, if any.
27. "Person" shall mean any individual, firm, company, partnership, association, society, group, corporation, or governmental entity.
28. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.

29. "Present System" shall mean that part of the system which has been constructed as of the date hereof or will be constructed or acquired and the cost thereof financed by the methods and means provided in the contract.
30. "Plumbing Inspector" or "Inspector" shall mean the appointed inspector of the Village.
31. "Private Sewage Disposal Systems" shall mean any sewer, septic tank, lagoon, cesspool, or other facilities intended or used for the transportation and disposal of sanitary sewage other than via the public sanitary sewer.
32. "Properly Shredded Garbage" shall mean 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" shall mean the person or persons having legal title to the premises according to the County, Township or Village's records and shall include in the case of a land contract sale the land contract vendee or vendees, provided that the County, Township or Village has been furnished with a copy of said land contract or assignment thereof.
34. "Public Sewer or Public Sanitary Sewer" shall mean a sanitary sewer constructed, used, or intended for use by the public for the collection and transportation of sanitary sewage for treatment or disposal owned or operated or controlled by the Village.

35. "Replacement" shall mean 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.
36. "Residential Equivalent" or "Unit Factor" shall mean 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" shall mean Residential Equivalent.
37. "Residential User" shall mean 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, semi-detached, row houses, mobile homes, apartments, or permanent multi-family dwellings. For purposes of this Ordinance transient lodgings shall be considered to be a "commercial" use.
38. "Sanitary Sewage" shall mean the liquid or water-carried waste discharge from sanitary convenience of dwellings, (including apartment houses, motels and hotels), office buildings, factories, or institutions.
39. "Sanitary Sewer" shall mean the sewer which carries sanitary sewage and industrial waste or either of them and into which storm water, surface and ground waters are not intentionally admitted.
40. "Service Area" shall include all lands within the Village of Dansville.

41. "Sewage" shall mean any combination of sanitary sewage, storm water, industrial waste.
42. "Sewage Treatment Facility" or "Sewage Treatment Plant" shall mean any arrangement of devices or structures used for the treating of sewage.
43. "Sewer" shall mean a pipe or conduit and appurtenances for transmitting or carrying sanitary sewage including any devices necessary for pumping, lifting or collecting such sewage.
44. "Sewer Service Charge" shall mean the total charge upon the users of the system for sewer use and debt service.
45. "Sewer Use Charge" shall mean the charge levied on users of the system for the cost of operation and maintenance of the system which charge shall also include the cost of replacement of the system.
46. "Single Family Dwelling" shall mean a residence in which only one family resides.
47. "Storm Sewer" shall mean a sewer intentionally designed for receiving and conveying storm, surface and ground water and into which sanitary sewage shall not be admitted.
48. "Structure in which Sanitary Sewage Originates" shall mean a building in which a 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.

SECTION 4. 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 owners own expense, install suitable toilet facilities in said structure, and shall cause such facilities to be connected to the available public sanitary sewer system, as defined under Section 2, paragraph 2 of this Ordinance.

- B. Connection Procedures.
 - 1. All connections shall be completed promptly but in no case later than ninety (90) 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 service area, 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.
 - b. Modification of a structure so as to become a structure where sanitary sewage originates.

 - 2. If the owner of property on which is located a structure in which sanitary sewage originates does not complete connection to an available sanitary sewer within the period described in Paragraph 1 above, the Village shall notify said person by written notice

54. "Tap-in" shall mean the physical connection of a building sewer to a public sewer owned or maintained by the Village.
55. "User Class" shall mean the kind of user connected to the sanitary sewers including but not limited to residential, industrial, commercial, institutional, and governmental.
56. "Village" shall mean the incorporated limits of the Village of Dansville.
57. "Wastewater" shall mean water which contains, or previous to treatment has contained, pollutants such as sewage and/or industrial wastes.
58. "Water Course" shall mean an open channel, either natural or artificial in which a flow of water occurs, either continuously or intermittently.

SECTION 3. OPERATION AND MAINTENANCE AND CONTROL. The operation and maintenance of the system shall be under the supervision and control of the Village subject to the terms of this Ordinance. The Village retains 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 Council 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.

49. "Superintendent" shall mean the street commissioner of the Village of Dansville.
50. "Surcharge" shall mean the additional charge which a user discharging wastewater having strength and/or quantity 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 transmitting and treating such wastewater.
51. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in the water, sewage or other liquids and which are removable by a laboratory filter when utilizing procedures as described in the latest edition of "Standard Methods for Water and Wastewater Analysis".
52. "System" shall mean the complete Village of Dansville Wastewater Collection and Treatment Systems, including 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 extension and improvements thereto which may hereafter be acquired or constructed.
53. "Table of Unit Factors" shall mean that table which is included in Section 8, Item A-3 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.

2. that connection to the system is required forthwith. The giving of said notice shall be made by first class or certified mail to the owner of the property 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 Ordinance and Act 368 of Public Acts of Michigan 1978 as amended.

3. In the event the property owner is unable to connect to the system within the time prescribed by this Ordinance 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. The foregoing notwithstanding this appeal shall be made in writing within ten (10) days of notice of sanitary sewer availability as hereinbefore set forth.

C. 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 One Hundred (\$100.00) Dollars for each single family residential unit multiplied by the number of units or multiplying factors as established by the Table of Residential Equivalents.

C. 2. Civil Penalties to Compel Connection: Where any structure wherein sanitary sewage originates is not connected to the system ninety (90) days after the date of mailing or otherwise serving notice to connect 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 Ingham 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.

3. By Criminal Proceedings: Any violation of this Ordinance including failure to comply with the mandatory connection requirements of this Ordinance shall be punishable by a fine not to exceed Five Hundred (\$500.00) Dollars or incarceration for a period of not more than ninety (90) days or both such fine and imprisonment in the discretion of the court. Each day that a violation of this Ordinance shall continue shall be construed to constitute a separate offense.

SECTION 5.

PRIVATE SEWAGE DISPOSAL.

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

- B. It shall be unlawful to discharge into 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 Ordinance.
- 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 this Ordinance, the building sewer shall be connected to a private sanitary sewer disposal system which shall be approved by the County Health Department.
- E. At such time as the public sanitary sewer system becomes available to premises served by a private sanitary sewage disposal system, connection to the public system shall be made in compliance with this Ordinance, and any septic tank, cesspool similar private disposal facility located thereon shall be completely filled with earth, sand, gravel, concrete or other approved material. Upon the abandonment or discontinuance 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 provisions of Act No. 243 of the Public Acts of 1951. The tank, or the pit in the instance of a privy, shall be treated with at least 10 pounds of chlorinated lime or other chemical

- E. disinfectant acceptable to the County Health Department, completely backfilled with approved material and made safe from the hazard of collapse.
- F. All private sanitary sewage disposal systems maintained in compliance with this Ordinance shall be maintained in a sanitary manner at all times at the sole expense of the owner thereof.

SECTION 6. BUILDING SEWERS AND CONNECTION.

A. Building Sewer Regulations.

1. A separate and independant building sewer lead shall be provided for every building in which sanitary sewage originates, or connected to an adjoining line in a manner approved by the County Health Department and subject to the provisions of paragraph (B) (10) below.
2. All costs and expenses incidental 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 the requirements of this Ordinance.
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 four (4) inch ID on private property and six (6) inch ID within the public right of way.

- b. Pipe must be one of the following materials and cannot be mixed in the connection lines to including all fittings.
 - (1) Cast iron with rubber-type gaskets;
 - (2) Cast iron NH pipe with neoprene stainless couplings;
 - (3) Ductile iron with rubber-type gaskets slip joint or mechanical joint;
 - (4) Vitrified clay tile with ASTM C425 joints;
 - (5) PVC or ABS plastic, Schedule 40 or better with rubber gasket joints.
 - 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 1/8 bends.
5. Cleanouts shall be installed every ninety (90) feet of straight run and at each 90 degree direction change, (two forty-five degree connections), and all cleanouts shall be fitted with an approved plug. All cleanouts shall be readily and easily accessible for cleaning and inspection, and shall be protected from damage due to normal activities and commerce in the vicinity.
6. All lines shall be laid at a minimum slope of 1/8 inch per foot grade and a maximum slope of 1/2 inch per foot grade for four (4) inch lines and a minimum 1/8 inch per foot grade and a maximum 1/2 inch per foot grade for six (6) inch line.

7. The method to be used in excavating, placing of pipe, jointing, testing, and backfilling the trench, shall conform to the requirements of the Part 7 of the Plumbing Code Rules issued by the Michigan Department of Labor, Construction Code Commission. Air testing in accordance with Village standards shall be required for all building sewers previous to their acceptance for connection to Village sanitary sewers.

8. No building sewer shall be laid within three (3) feet of any bearing wall, and the depth thereof shall be sufficient to afford protection from frost.

9. In all buildings in which any building drain 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. All costs for construction of the pump and discharge system shall be paid by the owner of such buildings.

10. All excavations for building sewer installation and connection 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 Village.

11. No building sewer shall be laid within 50 feet of any water well. Prior to installing a building sewer, the property owner shall verify the location of all area wells to insure the 50 foot clearance requirement. Where limits of property and space require installation of a building sewer closer than 50 feet, the property owner shall obtain approval from the County Health Department prior to installing the sewer. Materials and methods of construction for building sewers less than 50 feet from any well shall be approved by the County Health Department.

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 for the connection permit shall be an amount established by resolution of the Village.
3. The owner or contractor applying for a connection permit will receive three (3) copies of the permit, one copy each for the contractor, the property owner, with the third copy to be returned to the Village with a drawing of the installation thereon 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, force mains, and the sewage treatment facility, including capacity for treatment of B.O.D., Suspended Solids, Phosphorous and any other pollutants.

5. All connections to the system will be made by a licensed contractor or plumber registered with the Village; provided, however, that a property owner may make his own installation and connection so long as a connection permit is secured.

Contractors making connections to the system shall file a permit bond with the Village in the amount of \$10,000.00 and in addition shall provide the Village with a copy of their plumber's or contractor's license from the State of Michigan and a copy of their liability insurance prior to performing any connections 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 this Ordinance or any rule or regulation relating thereto. The Superintendent of the Village may, upon notice of a violation by a licensee, revoke said license. Said revocation shall become final unless the license revocation is reversed by the Village upon appeal. All such appeals shall be filed within ten (10) days of a license revocation and shall be heard by the Village at its next regular meeting.

7. No person shall connect roof downspouts, foundation drains, area way drains, swimming pool drains, or any sources of surface or groundwater to a building sewer which in turn is connected to the system.
8. No building sewer shall be covered until after it has been inspected and approved by authorized personnel of the Village.
9. The Village may deny the application of any person for sanitary sewer use hereunder. Criteria for denial shall include, but not limited to:
 - (1) Compliance with relevant Village, County and State, sewer and land use ordinances, regulations and plans.
 - (2) The effect of such proposed use upon the Village sewer system as a whole.
 - (3) Then current sewer collection and treatment capacity.
 - (4) Prior commitments for sewer availability.
 - (5) Litigation or other contingency requirements which may result in additional sewer use.
10. Two or more owners of property, adjacent thereto, required to connect to the system as provided herein, may join together in constructing a single sewer lead, to the system after having first obtained a joint connection permit from the Village.

10. In addition to the information required under paragraph (B) (3) above, the application for a joint connection permit shall include evidence sufficient to demonstrate that a contractual agreement has been executed between the owners which provides for perpetual maintenance of the connection by the owners of the benefitted property, duly recorded with the Register of Deeds for Ingham County.

SECTION 7. USE OF 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 into 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.

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

1. Any liquid or vapor having a temperature higher than 150°F.

2. Any water or waste which may contain more than 100 milligrams per liter, by weight of fat, oil or grease.

3. Any gasoline, benzine, naphtha, fuel oil or other flammable or explosive, liquid, solid or gas.

4. Any garbage that has not been properly shredded.
5. Any ashes, cinders, sand, mud, straw, metal shavings, glass, rags, feathers, tar, plastics, woods, 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.
6. 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 plant.
7. Any noxious or malodorous gas or substance capable of creating a public nuisance.
8. Any industrial waste that may cause a deviation from the NPDES permit requirements, pre-treatment standards, and all other State and Federal regulations.
9. 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.

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 at in . . . ion.

2. Said interceptors shall be constructed of impervious materials capable of withstanding grease, oil and abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted into place shall be gastight, watertight, and secure from vandalism.

3. Where installed, all grease, oil and sand interceptors (traps) shall be maintained at the owner's expense, and in continuous efficient operation at all times.

D. Preliminary Treatment.

1. The admission into the public sewers of any waters or wastes having the following characteristics shall be subject to review, approval, and acceptance by the Village:

- (a) A five (5) day BOD greater than three hundred (300) mg/l or containing more than three hundred fifty (350) mg/l of suspended solids, or
- (b) any quantity of substances having the characteristics described in paragraph B hereof, or
- (c) a chlorine demand of more than fifteen (15) milligrams per litre, or
- (d) having any average daily flow greater than two (2) percent of the average daily flow tributary to the Village Wastewater Treatment Facility, or
- (e) total phosphorous concentration greater than ten (10) milligrams per litre as phosphorous.

2. Preliminary treatment may be required by 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 hereof, or to control the quantity and rates of discharges of such waters or wastes. The Village, may require a person to remove, exclude, or pretreat an industrial wastewater in whole or in part if such wastewater is with characteristics which are in violation of this ordinance and when such wastewaters are found by the Village to be damaging or deleterious to its wastewater collection or treatment system. Where preliminary treatment facilities are provided for any waters or wastes, they shall be accepted by the Village in writing and shall be maintained in satisfactory and effective operation at no expense to the Village. The Village may elect to treat any industrial wastewater, which is 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. Expenses incurred by the Village in reviewing and approving preliminary treatment facility plans and specifications shall be borne by the owner.

E. 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.

2. Such manhole, or structure, when required, shall be accessible and safely located, constructed in accordance with plans approved by the Village and installed and maintained by the owner at the owners expense.

3. All measurements, tests and analyses of the characteristics of waters and wastes to which references are made in paragraphs B and D 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 E, 1 hereof.

SECTION 8. SYSTEM CHARGES AND RATES

A. Operation, Maintenance and Debt Services Charges.

1. Prior to the issuance of any bonds authorized to be issued by the Village pursuant to the terms of Ordinance No. 21, enacted February 13, 1984, rates and charges for services of the system shall be fixed by the Village in an amount sufficient to pay the costs of operating and maintaining the system and to provide for revenues adequate to pay the principal and interest on any debt and to meet any of the reserve, replacement, and improvement requirements established in Ordinance No. 21; such rates may be revised from time to time by the Village and fixed by resolution as may be necessary to generate sufficient revenues to pay all costs incurred by the system.

2. In fixing the rates and charges authorized above the Village shall, by resolution of its Council, establish the following:

- (a) The time when such sums shall be assessed whether monthly, quarterly or yearly.
- (b) The rate chargeable for each single family residential premises to be served by the system.
- (c) A Table of Unit Factors for all other uses of the system setting forth and identifying the classification of the user(s) specified and all other applicable factors to be multiplied by the charge(s) established for single family residential premises.

3. The Table of Unit Factors adopted as authorized in paragraph (3) (c) above shall be interpreted and reviewed as follows:

- (a) The minimum equivalent factor for all unmetered users shall be 1.0.
- (b) Equivalent units for users not originally contained in said Table may be added thereto from time to time by resolution of the Village Council.
- (c) Where multiple businesses exist at one location, the various businesses shall be combined for determining the equivalent units for such location.
- (d) The equivalent units of users having an equivalent unit factor of more than one (1.0) shall be reviewed by the Village Council once each year. Unless the equivalent unit factor of each user is changed by the Village on or before the 15th day of the last month preceding the commencement of the system's fiscal year, the equivalent unit factor of each user shall remain the same as it was for the

- (d) preceding fiscal year. Failure to specifically review as provided herein shall not however cause said factor to be omitted and shall not be grounds for discontinuance of said factor.
- (e) Appeal. A user having an equivalent unit factor of more than one (1.0) may, upon written request, appeal to the Village for review of the classification.
- (f) A user subject to Sewer Service Charge in accordance with the Table of Unit Factors, as defined within this Section 8 of the ordinance, may at his own cost and without expense to the Village, install a meter for recording water usage. Installation and type of said meter shall be in accordance with standards set by the Village. With installation of such meter and acceptance of the meter and meter installation by the Village, the user shall then be charged in accordance with a metered rate to be established by the Village prior to installation. The Village reserves the right to require the replacement or repair, at the property owners expense, of water meters installed in accordance with this Section. In addition, the Village is granted access to the premises for the purpose of inspection, testing, and reading of the meter.

B. Connection Charges.

1. Direct Connection:

- (a) For structures discharging sewage in existence on or before the sanitary sewer becomes available, the system is completed or May 15, 1985, whichever is sooner, there shall be assessed a connection charge of \$150.00 per residential equivalent user, payable in full at the time the connection permit is issued.

- (b) For structures discharging sewage in existence after the dates provided above, there shall be assessed a connection charge of \$150.00 per residential equivalent, multiplied times the number of years, or portion thereof, the system has been in existence and operational to a maximum of \$1500.00 payable in full at the the time the connection permit is issued, or at the property owners option, amortized into equal payments of \$150.00, with an initial payment of \$150,00 payable at the time the connection permit is issued and subsequent installments due on May 1st of each year thereafter, with interest computed on the unpaid balance at the rate of 9.125% per annum.

2. Tap in Expenses.

- (a) 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 (10%) percent thereof for administrative expense, payable as follows:
- i) Not less than fifty (50%) percent of the estimated cost shall be deposited with the Village prior to commencement of construction; and
 - ii) The balance, if any, of said costs and administrative fee shall be paid upon

completion of construction.

C. High Strength Surcharges

1. The rates and charges set forth herein notwithstanding, if the character of the sewage of any user shall impose an unreasonable or additional burden upon the sewage collection or treatment systems of the Village, an additional charge may be assessed over and above the rates herein established. Effluent in excess of the maximum limitations imposed by this Ordinance shall be deemed prima facie subject to surcharge. If necessary to protect the system or any part thereof, the Village may deny the right of any user to empty such sewage into the system. Surcharges required by this Section shall be computed as the pro-rated share of the annual cost of operation and maintenance, including replacement, attributable of treating the substance, multiplied by the ratio of weight of surchargeable excess of the discharged substance to the total weight of such substances that is treated in that year. This amount shall be collected on the basis of estimated surchargeable amounts with each periodic billing and shall be adjusted annually to reflect actual operation, maintenance and replacement costs.
2. All processed wastewaters from commercial and industrial facilities are subject to a High Strength Surcharge Rate. Processed wastewater includes all liquid waste discharged into the sanitary sewer of the Village from a commercial or industrial facility, less those wastewaters that origi-

nate from employees' use of sanitary appliances. The high strength surcharge is to be added to the established schedule of sewage charges and computed as follows:

- a) The high strength surcharge shall be collected with sewer service billings, and shall be used for wastewater treatment purposes.
 - b) Surcharges for BOD and Suspended Solids. For BOD greater than three hundred (300) milligrams per litre, there shall be a charge of seven cents (07) per pound and for suspended solids greater than three hundred fifty (350) milligrams per litre, there shall be a charge of eight cents (08) per pound.
 - c) Surcharges for Phosphorous. For PH greater than ten (10) milligrams per litre, there shall be a charge of one dollar and ten cents (\$1.10) per pound.
 - d) There shall be an additional charge for laboratory testing of wastewater samples. The laboratory charge shall be for the cost thereof and will be determined for each user.
3. The rates established herein for High Strength Surcharges shall be established by resolutions of the Village Council and may be revised from time to time. The resolutions shall also establish when such rates shall be billed and paid.
 4. In addition to requiring industrial users to install a manhole to monitor the strength of its industrial waste pursuant to the terms of this Ordinance, an industrial

user may be required by the Village at its sole discretion, to install at the user's expense, an approved meter to register accurately all wastewater flowing to the system for purposes of implementing the foregoing rates and the service charges established under the terms of this Ordinance.

D. Contractual Rates.

The foregoing provisions relating to rates shall not be construed as prohibiting any special agreement or arrangement between the Village and any user, or class of users, whereby the sanitary wastes of unusual strength or character or such user or class or users may be accepted into the system, subject to payment therefor by said user or class of users.

E. Deferring Charges.

No free service shall be furnished to any user of the system, and there shall be no waiver or forgiveness of charges levied pursuant to the terms hereof. The foregoing notwithstanding, any resident eligible for deferment of payment of such fees pursuant to the laws of the State of Michigan shall be afforded ample opportunity to request such deferment or partial payment in accordance therewith.

F. Enforcement of Charges.

1. Non-payment of the connection charges. Non-payment of connection charges shall subject the property owner to liability for the charges and penalties provided for a late or delayed connection in Section 4 paragraph B.

2. Non-payment of Sewer Service Charge.

- (a) Discontinuance of service. In the event a sewer service charge established pursuant to Section 8B, hereof remains delinquent for a period in excess of six (6) months, the Village may shut-off and discontinue sewer service to such user. Such service shall not be re-established until all delinquent charges, penalties and a charge for the discontinuance of such service shall be paid. Turn-off charge shall be established by Resolution of the Village Council.
- (b) Collection by litigation. In addition to discontinuing service to any user the Village may collect all such delinquencies and penalties due hereunder by legal proceedings in a court of competent jurisdiction.
- (c) Collection by enforcement of lien. Service charges, including penalties due thereon which remain delinquent for a period in excess of six (6) months shall constitute a lien on the premises served thereby. Such a lien shall be perfected by the Township or Village official or officials in charge of the collection thereon, by certifying annually not later than September 1st of each year to the Tax Assessing Officer the fact and the amount of such delinquency. Thereupon, such charge shall be entered by the tax assessing officer of the Township or Village upon the next tax roll as a charge against the premises

and shall be collected and the lien thereof enforced in the same manner as general taxes against such premises are collected, and the lien thereof enforced.

SECTION 9. FISCAL YEAR, RECORDS AND FUNDS

- A. The fiscal year of the Wastewater Collection and Treatment System shall end on February 28th.
- B. The Village shall keep and maintain proper books and records and accounts, separate from all other records and accounts of the Village, in which shall be made full and correct entries of all transactions relating to the Sanitary Sewage Collection and Treatment System. The Village shall cause an annual audit of such books and records and accounts of the preceding operating year to be made by a recognized independent Certified Public Accountant and will supply such audit to authorized public officials upon proper request.
- C. Biennial Review of Operations and Maintenance charges. The Village shall review not less often than every two (2) years the wastewater contribution of users and user classes to accomplish the following:
 - 1. Maintain the proportionate distribution of operation and maintenance costs among users and user classes as required herein;
 - 2. Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the treatment works; and
 - 3. Apply excess revenues collected from a class of users to

the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

- D. Insurance. The Village shall maintain and carry insurance on all physical properties of the System, of a kind and in the amounts normally carried by public utility companies and municipalities engaged in the operation of sanitary sewage disposal systems. All monies received from losses under any such insurance policy shall be applied solely to the replacement and restoration of the property damaged or destroyed.

SECTION 10. MISCELLANEOUS PROVISIONS.

- A. Protection From Damage. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with the system or any component thereof.
- B. Industrial Use of System. Any industry or structure discharging or desiring to discharge industrial waste to the system shall provide the Village with the following information or material and do the following:
1. 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 and any other pertinent characteristics of the wastes.
 2. A plan map of the building, works, or complex with each outfall to the surface water, sanitary sewer, storm sewer, natural watercourse, or ground waters noted, described, and the waste stream identified.

3. Provide a representative test sample, and file reports with the Village and the appropriate State agencies on appropriate characteristics of wastes on a schedule, at locations and according to methods approved by the Village.
 4. Place waste treatment facilities, process facilities, waste streams, or other potential waste problems under the specific supervision and control of persons who have been certified by an appropriate state agency as properly qualified to supervise such facilities.
 5. A report 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.
 6. Maintain records and file reports with appropriate state and federal agencies on the final disposal of specific liquid, solid, sludges, oils, radioactive materials, solvents, or other waste.
 7. No industrial process shall be altered to include or negate a process waste or potential waste without written notification to the Village and approval by the Village.
- C. Connection of Privately Constructed Sanitary Sewer Systems to the System. Before any sanitary sewer system constructed by private, as distinguished from public funding, hereinafter referred to as the "private sanitary sewer", shall be permitted to connect to the system, the owner of said system, hereinafter referred to as the developer, shall do and provide the Village with the following:

1. 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 (1) per cent 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.
2. Obtain approval of the Village of the plans and specification.
3. Secure all necessary permits for construction.
4. Upon commencement of construction of the private sanitary sewer, deposit with the Village in the escrow account referred to in C.1. of this Section a sum of four (4) per cent of the cost of construction to cover the anticipated cost of inspection of construction and payment of connection charges.
5. Upon completion of construction of the private sanitary sewer to the system the performance bond, upon recommendation of the Village's engineer and approval of the Village 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 Village in assuring that the private sanitary sewer is properly operating shall be deducted therefrom or charged directly to the developer, at the option of the Village.

D. Administration.

The Street Commissioner of the Village is charged with the responsibility of administering the system and enforcing this ordinance.

E. Power and Authority of Inspectors.

1. Duly authorized employees of the Village bearing proper cre-

dentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement sampling and testing in accordance with the provision of this Ordinance.

2. Duly authorized employees of the Village 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 Ordinance or detrimental to the system.
3. Duly authorized employees of the Village shall inspect the onsite 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 Ordinance. The order shall contain a statement of the specific violation and the appropriate means of correcting the same and the time within which correction shall be made.

SECTION 11. GENERAL PROVISIONS

A. Penalties.

1. What constitutes a violation. Whenever, by the provisions of this Ordinance, the performance of any act is required, or the performance of any act is prohibited, a failure to comply with a cease and desist order of the enforcing agency shall constitute a violation of this Ordinance.
2. Criminal proceedings to punish violations. A person violating any of the provisions of this Ordinance shall be punishable by a fine of not to exceed Five Hundred (\$500.00)

Dollars and costs or prosecution, by confinement in the County Jail for a period not exceeding ninety (90) days, or both such fine and confinement in the discretion of the Court. Each day that a violation of this Ordinance is continued or is permitted to continue to exist shall constitute a separate offense, provided that no person shall be confined or jailed for a single but continuing violation for a period longer than ninety (90) days.

3. Civil procedures to compel compliance. The Village may bring a civil proceeding for a mandatory injunction or injunctive order or for such other remedial relief as will correct or remedy the violation, including damages for the cost or expenses thereof. The Village may join in such action or actions any number of property owners.
4. Notification and Appeal. Users of the system may appeal Sewer Use Charges (Operation, Maintenance and Replacement Charges) and Connection Charges (charges for Debt Retirement and other Capital Costs). Appeals shall be directed to the Village President in writing and shall state the cause and basis for appeal. The Village shall notify users whenever rates are adjusted for any reason, including changes in charges for Operation, Maintenance, Replacement, Debt Service Charges and any other Connection Costs Charges. Users shall be notified of user charges at least once each year.

- B. Validity and Severability. It is the legislative intent of the Village in adopting this ordinance that all provisions hereof shall be liberally construed to protect the public health, safety, and general welfare of the inhabitants of the Service Areas and other persons affected by this ordinance, and consequently, should any provision of this ordinance be held to be unconstitutional, invalid, or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this ordinance, it being the intent of the Village that this ordinance shall stand and remain in effect, notwithstanding the invalidity of any provisions hereof.
- C. Effective Date. This ordinance shall take effect and be in force from and after twenty (20) days after publication.

Clayton Johnson Jr.
Clayton Johnson Jr.
President

Adopted this 13th day of February, 1984.

Yeas 4

Nays 0

I certify that the above is a true and complete copy of Ordinance NO 22 adopted by the Village Council on the 13th day of February 1984 and that the same was duly published, as required by law, in the Ingham County News on this 22nd day of February, 1984.

Wilmot S. Bolmet
Wilmot Bolmet
Village Clerk

Ordinance 22

TABLE B

TABLE OF UNIT FACTORS

VILLAGE OF DANSVILLE

Unit Factor-Minimum to be 1.00

Apartments	<i>RE residential Equiv</i>
per apartment	1.00
per community room	1.00
per office	1.00
Auto Dealer	1.00 for each 12 employees or fraction of 12. Any number of employees over 12, .25 RE for each 3 employees.
Bank	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees.
Bar	.035 per seat - Based on Liquor License Seating Capacity
Barber Shop	1.00 for 1 or 2 chairs; .50 RE for each additional chair
Car Wash	2.25 for each stall
Church	
without kitchen	1.00
with kitchen and/or nursery (non-profit)	1.25
with nursery (for profit)	1.75
Cleaners	
pick-up only	1.00
with dry-cleaning	1.25/press
Clinics or Doctors Offices	1.00 for clinics with only one doctor. Any number of doctors over one, .50 per doctor
Department Store	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees
Grocery Store	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees

Hotels and Motels	
with bar	.25/bed
with bar and restaurant	.25/bed + .035 per seat
Industrial-including Machine Shops (domestic sewage only)	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees
Laundry (self-service)	1.00 per washer
Office Building	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees
Halls	1.00
Public Institutions (excluding schools and hospitals)	1.25 <i>with kitchen</i>
Restaurant	.035 per seat
Retirement Home	.21 per bed
Service Station	1.00
School	1.00 for each 21 of school population including students and faculty.
Store	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees
Supermarket	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees
Trailer Park	
per office unit	1.00
per trailer	1.00
per community room	1.00 if rented for non-residential uses
Veterinarian Clinic	1.00 + .15/cage
Warehouse	1.00 for each 12 employees or fraction of 12. Any number of employees over 12; .25 RE for each 3 employees

~~Township Hall~~~~Amusement Room with kitchen~~