

PLEASE ALSO REFER TO OTHER ORDINANCES:

Water Supply Number 23 with Eight Amendments

Bond Sanitary Sewer System Number 29

Sewer Rate Number 30 with Amendments

Revised Sewer Rules and Regulations Number 31

Water Supply Cross Connection Rules Number 41

Water Distribution and Production System Number 61

SEWER RULES AND REGULATIONS ORDINANCE

ORDINANCE NO. 31 (Revised)

A REVISED ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS; THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS OF SECTIONS THEREOF; FOR THE CITY OF CARSON CITY, MICHIGAN.

THE CITY OF CARSON CITY ORDAINS:

Chapter 31.1
ESTABLISHMENT OF REVISED ORDINANCE

31.101 SHORT TITLE. This Revised Ordinance shall be known as the Sewer Rules and Regulations Ordinance [Originally Enacted March 7, 1968].

31.102 AUTHORITY. Pursuant to Chapter 13 of the Charter of The City of Carson City, the City has the general power to "acquire, own, establish, construct, operate, improve, enlarge, extend, repair, and maintain, either within or without its corporate limits, a public utility for" sewage treatment. This having been done by this Ordinance on or about March 8, 1968.

31.103 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this Revised Ordinance shall be as follows:

A. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

B. "Director" is the person designated by the City of Carson City, Michigan, to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities under this Revised Ordinance or his authorized deputy, agent, or representative.

C. "Inspector" shall mean any person or persons duly

authorized by the City to inspect and approve the installation of building sewers and their connection to the public sewer system.

D. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with each ground, surface, and storm waters as may be present.

E. "Sewer" shall mean a pipe or conduit for carrying sewage.

F. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

G. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

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

I. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface and waters and drainage, but excludes sewage and polluted industrial wastes.

J. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

K. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

L. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than $\frac{1}{2}$ inch in any dimension.

M. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

N. "B.O.D." (denoting Biochemical Oxygen Demans) shall mean

the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C, expressed in parts per million by weight.

O. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

P. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

Q. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

R. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

S. "Person" shall mean any individual, partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

T. "Shall" is mandatory; "May" is permissive.

Chapter 31.2 USE OF PUBLIC SEWERS REQUIRED

31.201 PROHIBITED WASTE.

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within Carson City, Michigan, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes.

B. It shall be unlawful to discharge to any natural outlet within said City, or in any area under the jurisdiction of said City any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in

accordance with subsequent provisions of this Revised Ordinance.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facilities intended or used for the disposal of sewage.

31.202 PROPERTY OWNERSHIP REQUIREMENTS. The owner of all houses, buildings, or properties used for human occupance, employment, recreation, or other purposes situated within the City and abutting any street, alley, or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer of the City, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Revised Ordinance, within sixty (60) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

Chapter 31.3
PUBLIC SEWAGE DISPOSAL

31.301 PRIVATE SEWER EXCEPTION. Where a public sanitary or combined sewer is not available under the provisions of Section 31.202, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the State Department of Public Health.

31.302 OWNER OPERATION AND MAINTENANCE OF PRIVATE SEWERS. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

31.303 WHEN PUBLIC SEWER BECOMES AVAILABLE. At such times as a public sewer becomes available to a property served by a sewage disposal system as provided in Section 31.202, a direct connection shall be made to the public sewer in compliance with this Revised Ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, and filled with suitable material.

31.304 ADDITIONAL REQUIREMENTS. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the State Department of Public Health.

Chapter 3.4
BUILDING SEWERS AND CONNECTIONS

31.401 PERMIT REQUIRED. No unauthorized person shall uncover, make any connections with, or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the City. Before a permit may be issued for excavating for plumbing in any public street, way, or alley, the person applying for such permit shall have executed unto the City of Carson City and deposited with the Comptroller a corporate surety in the sum of \$10,000.00 or a letter of bank credit as a condition that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations established under the authority or any ordinances of the City of Carson City pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the City of Carson City and the owner of the premises against all damages, costs, expenses, outlays, and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this Revised Ordinance. Such bond shall remain in force and must be executed for a period of one (1) year except that on such expiration it shall remain in force as to all penalties, claims, and demands that may have accrued thereunder prior to such expirations.

31.402 CLASSES OF BUILDING PERMITS. There shall be two (2) classes of building sewer permits:

- A. For residential service; and
- B. For service to establishments producing industrial waste.

In either case, the owner or his agent shall make application on a special form furnished by the said City. The permit applications shall be supplemented by any plans,

specifications or other information considered pertinent in the judgment of the Director. The permit application shall be accompanied by an application fee in the amount established pursuant to the Sewer Rate Ordinance No. 30.

31.403 COSTS AND EXPENSES FOR SEWER INSTALLATION. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said City from any loss or damage that may directly or indirectly be occasioned by said installation.

31.404 SEPARATE AND INDEPENDENT BUILDING SEWER EXCEPTIONS. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Other exceptions will be allowed only by special permission granted by the Director.

31.405 HOOK UPS OLD AND NEW. Old building sewer or portions thereof may be used in connection with new buildings only when they are found on examination and test by the said Inspector to meet all requirements of this Revised Ordinance.

31.406 MATERIAL SPECIFICATIONS. All material used in construction of laterals and building sewers shall be of the type approved by the applicable Plumbing and Building Codes.

31.407 PIPE SIZE. All sewer pipe sizes shall be determined by the City based upon the type of facility and the applicable Plumbing and Building Codes.

31.408 SIZE AND SLOPE OF BUILDING SEWERS. The size and slope of the building sewers shall be subject to the approval of the said Inspector. The slope of such pipe shall not be less than one-eighth (1/8) inch per foot.

31.409 DEPTH AND ELEVATION OF BUILDING SEWERS. Whenever possible, the building sewer shall be brought to the buildings at an elevation below to basement floor. No building sewer shall be

laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. Changes in direction shall be made only with a maximum of 45 degree bends, with a clean out at each bend. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with current A.S.T.M. Specifications except by the Inspector or his representative.

31.410 FLOOR DRAINS. Floor drains which are connected to the building sewer shall be required for all basements or cellars if the elevation of the public sanitary sewer will service the building. Where floor drains are required, a back-flow prevention device must be installed.

31.411 ARTIFICIAL LIFTS. In all building in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer.

31.412 Y BRANCH CONNECTIONS. The connection of the building sewer into the public sewer shall be made at the "Y" branch designated for that property, if such branch is available at a suitable location. Any connection not made at the designated "Y" branch in the main sewer shall be made only as directed by the said Inspector. Each building shall have a clean-out at the property line.

31.413 INSPECTION OF BUILDING SEWERS. The applicant for the building sewer shall notify the said Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the said Inspector or his representative.

31.414 EXCAVATION FOR BUILDING SEWERS. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in manner satisfactory to the said City.

Chapter 31.5
USE OF THE PUBLIC SEWERS

31.501 DISCHARGE OF WATER TO SANITARY SEWERS. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

31.502 HANDLING OF WASTES. Grease, oil, and sand interceptors shall be provided when, in the opinion of the said Directorr, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Where installed, they shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

31.503 CONTROL MANHOLES. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install and maintain at his expense a suitable control manhole in the building sewer to facilitate observation, sampling, and measurement of the wastes.

Chapter 31.6
PROTECTION FROM DAMAGE

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Chapter 31.7
PENALTIES

31.701 NOTICE TO CORRECTION VIOLATION. Any person found to be violating any provision of this Revised Ordinance except Chapter

31.6 shall be served by the City with written notice pursuant to Section 31A.502 of Supplement A to Revised Ordinance No. 31.

31.702 MISDEMEANOR VIOLATION. See Section 31A.502C of Supplement A to Revised Ordinance No. 31.

31.703 LIABILITY FOR EXPENSES, LOSS AND/OR DAMAGE. Any person violating any of the provisions of this Revised Ordinance shall become liable to the City for any expense, loss, and/or damage occasioned the City by reason of such violation.

Chapter 31.8
CONDITIONS OF SERVICE

31.801 PROPERTY OWNERS RESPONSIBILITY. The property owner shall install and maintain at its expense the portion of the service from the main to the lot or easement line, and the customer shall install and maintain at his expense that portion of the service from said lot or easement line to his premises. The size and slope of the building sewers shall be subject to the approval of the authorized personnel of the City but in no event shall the diameter be less than four (4) inches. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor.

31.802 CANCELLATION OF APPLICATIONS. Applications may be cancelled and/or sewer service discontinued by the City for any violation of any rule, regulation, or condition of service, and especially for any of the following reasons:

A. Misrepresentation in the application as to the property or fixtures to be serviced by the sanitary sewer system.

B. Nonpayment of bills.

C. Improper or imperfect service pipes and fixtures or failure to keep same in suitable state of repair.

31.803 SEWER BILLS. Bills and notices relating to the conduct of the business of the sewer works will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the

City; and the City shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from nonpayment of a bill or from any performance required in said notice.

A. Bills for sewer service are due and payable at the business office of the City or to any designated agent, on their date of issue.

B. All customers will be billed quarterly. All bills must be paid in full within thirty (30) days from billing date. A ten (10%) per cent charge will be added to the total amount of the outstanding bill after thirty (30) days from the billing date. If the bill is not paid in full including any delinquent charges after forty-five (45) days from the billing date, a shut-off notice will be sent to the owner of record.

C. After seven (7) days from the date of mailing the shut-off notice, the water supply for the meter serving the delinquent user or users will be shut off. The water supply will not be turned on again, except upon full payment including any delinquent charges in addition to a turn on fee of Twenty (\$20.00) Dollars. Where the water service supplied to a customer has been disconnected for non-payment of a delinquent bill, the City reserves the right to request a nominal sum, not to exceed the total of the water billing of the prior three (3) months, be placed on deposit with the City for the purpose of reestablishing or maintaining any customer credit.

31.804 INTERRUPTION OF SERVICES. The City shall make all reasonable efforts to eliminate interruption of service, and when such interruption occurs, will endeavor to re-establish service with the shortest possible delay. Whenever service is interrupted for purpose of working on the collection system or the treatment equipment, all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

31.805 IMMUNITY REGARDING INTERRUPTION. The City shall, in no event, be held responsible for claim made against it by reason of the breaking of any mains or service pipes, or by reason of any other interruption of the service caused by the breaking of machinery or stoppage for necessary repairs; and no person shall

be entitled to damages nor have any portion of a payment refunded for any interruption.

31.806 PUBLIC USES. Special terms and conditions may be made where sewer service is used by the City or community for public purposes such as public parks, etc.

31.807 AMENDMENTS AND SUPPLEMENTS TO REVISED ORDINANCE. Any amendment or supplement to this Revised Ordinance shall be enacted pursuant to this Chapter and Section, and all amendments shall be designated a Amendment #___ (1,2,3, etc.) to Revised Ordinance No. 31; and all Supplements shall be designated as Supplement ___ (A, B C, etc.) to Revised Ordinance No. 31.

Chapter 31.9
SEVERABILITY

If any section, subsection, paragraph, sentence, clause, phrase or portion of this Revised Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Chapter 31.10
CONFLICTING ORDINANCE AND AMENDMENTS

Any City Ordinance and/or Amendments thereto that are in conflict with this Revised Ordinance is hereby superseded on the date of the enactment of this Revised Ordinance.

Chapter 31.11
EFFECTIVE DATE

The Revised Ordinance to regulating the use of public and private sewers and drains; the installation and connection of building sewers and the discharge of waters and wastes into the public

sewer system; and providing penalties for violation of sections thereof together with the supplement enacted herewith in the the City of Carson City shall become effective thirty (30) days after its enactment and on that date the Original Ordinance enacted March 8, 1968 and Supplements thereafter enacted shall be superseded by this Revised Ordinance and any Supplements thereto.

Chapter 31.12
PUBLICATION

This Revised Ordinance was published in the Carson City Gazette on May 3, 1993 pursuant to Section 7.4 of the Charter of the City of Carson City.

CERTIFICATION

We the undersigned, as Mayor and City Comptroller of the City of Carson City, Michigan, do hereby certify that this Revised Ordinance No. 31, of the City of Carson City, was introduced at a regular meeting of the City Council held on April 20, 1993, and was thereafter adopted at a regular meeting on May 18, 1993, by a vote of ~~six(6)~~ for; zero(0) against; and zero (0) abstaining.



Elmo Badder, Mayor



Janet Kelly, City Comptroller