

MINUTE BOOK
TOWNSHIP OF THETFORD
GENESEE COUNTY, MICHIGAN

ORDINANCE NO. 21 - 2015-06-21

(Adopted July 10, , 1968)

AN ORDINANCE PROVIDING FOR THE OPERATION OF PUBLIC SEWERS AND SEWERAGE SYSTEMS WITHIN THE TOWNSHIP OF THETFORD, CONNECTIONS THERETO, AND RATES AND CHARGES FOR CONNECTIONS THERETO AND USE THEREOF; PROVIDING PENALTIES FOR VIOLATION; AND PROVIDING FOR OTHER RELATED MATTERS.

WHEREAS, the Township of Thetford has heretofore entered into contracts with the County of Genesee pursuant to Act No. 342, Michigan Public Acts of 1939, as amended, by the terms of which the County, through its County Drain Commissioner as the County Agent, has undertaken to acquire certain systems of sanitary sewers and appurtenances, to wit:

Genesee County Sanitary Sewage Disposal System No. 2 - Southeast Extensions (hereinafter sometimes referred to as the "County System"), which is to serve municipalities including the Township of Thetford and is to be and remain under the primary jurisdiction and control of the County; and

WHEREAS, the County is to have authority with respect to the County System, and it is necessary to provide for the functions of the Township and the County with respect to said system and with respect to connections to be made thereto; and

WHEREAS, it is the function of the County to serve the Township and not individual users therein, and it is necessary to provide for connection charges and fees to be imposed by the township and collected by the County for the use of the sewer in the system above described and others that may be constructed in the township in the future.

THEREFORE, THE TOWNSHIP OF THETFORD (GENESEE COUNTY,
MICHIGAN) ORDAINS:

ARTICLE 1. DEFINITIONS

The following terms shall, for purposes of this ordinance have the meanings stated below, unless the context indicates that a different meaning was intended:

Section 1. "Township" shall mean the Township of Thetford

Genesee County, Michigan.

Section 2. "Board" shall mean the Township Board of said

Township.

Section 3. "County" shall mean the County of Genesee, Michigan.

Section 4. "County Sewer" shall mean the Genesee County Sanitary

Sewage Disposal System No. 2 - Southeast Extensions, as identified in the preamble to this ordinance or any other sewer constructed by the County and the possession, control and operating responsibility of which is not vested in the Township.

Section 5. "Township Sewer" shall mean any sewers hereafter

constructed which the Township has or shall have possession, control and operating responsibility.

Section 6. "Public Sewer" shall mean any County Sewer or Township Sewer located within the Township.

Section 7. "User" shall mean any premises connected to a public sewer and includes appurtenant land and improvements.

Section 8. "Unit" shall mean that measure of potential sewage production which is equivalent to the quantity of sewage produced by or emanating from a single-family residence occupied by an average family. The number of units assigned to premises of various types shall be as set forth in the "Table of Unit Factors" which is marked "Exhibit A" and is attached to this ordinance. The number of units to be assigned to premises of types not included in said Table shall be determined in accordance with procedures established by the County Agent and approved by the Township Board.

Section 9. "County Agent" shall mean the Genesee County Drain Commissioner.

Section 10. "B. O. D" (denoting Biochemical Oxygen Demand) 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 milligrams per liter.

Section 11. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil and waste pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside of the inner face of the building wall.

Section 12. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 13. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and the

handling, storage, and sale of produce.

Section 14. "Industrial Wastes" shall mean the liquid wastes from industrial, manufacturing processes, trade or business as distinct from sanitary sewage.

Section 15. "Natural Outlet" shall mean any outlet into a water-course, pond, ditch, lake or other body of surface or ground water.

Section 16. "Person" shall mean any individual, firm, company, association, society, corporation, or group, public or private.

Section 17. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 18. "Properly Shredded Garbage" shall mean wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, and no particle greater than 1/2 inch in any dimension.

Section 19. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm surface, and ground waters are not intentionally admitted.

Section 20. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

Section 21. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 22. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Section 23. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 24. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Section 25. "Shall" is mandatory: "may" is permissive.

Section 26. "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.

Section 27. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II. PUBLIC SEWERS AND CONNECTIONS

Section 1. Neither the Township nor any other person shall connect any public sewer or system of public sewers to any County Sewer, or to any Township Sewer which is connected directly or indirectly to any County Sewer, without first obtaining a permit therefor from the County, and no person other than the Township shall connect any public sewer or system of public sewers to any County sewer or to any Township Sewer without also first obtaining written approval therefor from the Township. Each such connection permit shall show the location and extent of the work, information regarding the owner, the contractor and the engineer, and any other pertinent information as shall be determined to

necessary. The County permit shall be obtained from the office of the County Agent at G-4610 Beecher Road, Flint, for which a fee of \$100.00 will be charged by the County (except where the connection is made as a part of a sewer construction program of the Township) to cover the cost of inspection of the connection and to verify the result of the infiltration test.

Section 2. A test for water infiltration into such public sewer or system of public sewers shall be performed by the owner or contractor, after completion thereof, in accordance with procedures established by the County Agent. When such party has determined that the sewer or system meets the following requirements for maximum infiltration, then he shall arrange for results of such tests to be verified by the County Agent. Ground water infiltration at any time shall not exceed 250 U. S. gallons per inch of pipe diameter per mile of sewer per 24 - hour period. It shall be the responsibility of the Township or other party instructing the sewer or system to make whatever corrections may be necessary to the same to meet the infiltration requirements prior to using the County Sewers or the Township Sewers to which connection is made. If, in the opinion of the County Agent, ground water conditions at the time of the test would not provide a conclusive test of the extent of infiltration, then an exfiltration test shall be required. If an infiltration test is determined to be necessary, the maximum exfiltration rate shall be the same as that permitted for infiltration.

ARTICLE III. BUILDING SEWERS AND CONNECTIONS

Section 1. No building sewer shall be directly connected to any County or Township Sewer by any person without first obtaining a permit therefrom from the County. The County Agent shall collect the Township sewer connection charges as provided in Article VI, and refund same to the township at intervals not greater than every three months. The permit shall be obtained from the office of the County Agent at G-4610 Beecher Road, Flint, Michigan, upon payment of the townships sewer connection charges as provided in Article VI plus the fee of \$15.00 charged by the County. The party to whom such permits are issued shall be responsible for notifying the County Agent's office at least 24 hours in advance of the date and time when such a connection is to be made so that proper inspection of the same can be made.

Section 2. All connections to County Sewers or Township Sewers shall be made in a workmanlike manner and in accordance with the procedures established by the County Agent.

Section 3. Building sewers from lateral sewer in street or easement to within five (5) feet from the house shall be:

- (1) 6" diameter C-200 vitrified sewer pipe with (tylox (type B) wedglock (types 1 and 3) or amvit joints or other County Agent approved joint, or
- (2) 6" diameter Class 2400 Asbestos Cement Pipe with ringtite or County Agent approved joint, or
- (3) 6" diameter, service strength, cast iron soil pipe with hot poured lead joint, or approved equal.

All joints shall be tight and when tested for infiltration, shall not exceed 250 U. S. Gal. per inch of diameter, per mile, per 24 hours. All sewer lines within fifty (50) feet of private well and seventy-five (75) feet of a semi-public well shall be cast iron soil pipe with hot poured lead joints, or approved equal.

- (4) The crock to iron joint shall be sealed by an approved bituminous joint filler, encased in concrete to provide a watertight seal. The iron pipe inside the building shall be plugged and leaded and remain plugged and watertight until such time as the plumbing is carried on to the first floor, the basement backfilled and roof is on the building, thereby providing that no water from the excavated basement will enter the sanitary sewer.

Section 4. All cost and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the County or the Township from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 5. A separate and independent building sewer shall be provided for every building.

Section 6. The size, slope alignment, material of construction of a building sewer, and the methods to be used in excavating, placing of pipe, jointing, testing and backfilling the trench, shall all conform to the regulations and standard specifications of the County and other applicable rules and regulations of the State of Michigan.

Section 7. Whenever possible, the building sewer should be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 8. All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the County and the Township.

ARTICLE IV. DISCHARGE INTO SEWERS

Section 1. No person shall connect or cause to be connected any downspouts, foundation drains, yard drains, driveway drains, catchbasins, weep tile, perimeter drains, or other sources of storm surface runoff or ground water to any public sewers or to any building sewer or drain which is connected to a public sewer nor shall any person discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, uncontaminated cooling water or unpolluted industrial process water into any public sewer or

into any building sewer or drain which is connected to a public sewer: provided, however, that weep tile or perimeter drains may be connected to the building sewer from homes existing prior to January 1, 1967, if written approval is secured from the County Agent and also from the Township.

Section 2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the County Agent and the Township. Industrial cooling or unpolluted process waters may be discharged, upon approval of the County Agent and the Township, to a storm sewer, or natural outlet.

Section 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity (either singly or by interaction with other wastes) to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant (including but not limited to cyanides in excess of 2 mg/l as CN in the wastes as discharged to the public sewer).
- (c) Any waters or wastes having a pH lower than (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Section 4. 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 County Agent or the Township that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance:

- (a) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/L; or containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage shredder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the County Agent and the Township.
- (d) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions

whether neutralized or not.

- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the County Agent or the Township for such materials.
- (f) Any waters or wastes, containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the County Agent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the County Agent in compliance with applicable State or Federal regulations.
- (h) Any wastes or waters having a pH in excess of 9.5.
- (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as but not limited to Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as but not limited to dye wastes, vegetable tanning solutions).

(3) Unusual B.O.D., chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the County Agent or the Township y have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the County Agent may:

- (a) Reject the wastes.
- (b) Require pre-treatment to an acceptable condition for discharge to the public sewers.
- (c) Require control over the quantities and rates of discharge.
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes and sewer charges.

If the County Agent permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the County Agent.

Section 6. When required by the County Agent or the Township, the owner of any property serviced by building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such a manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the County Agent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 7. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" and shall be determined at the control manhole provided for, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which a building sewer is connected.

Section 8. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the County and the Township and any industrial waste of unusual strength or character may be accepted by the County for treatment, subject to payment therefor, by the industrial concern.

ARTICLE V. INSPECTION AND PROTECTION OF SEWERS

Section 1. The County Agent and other duly authorized employees of the County Agent or the Township bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing.

Section 2. While performing the necessary work on private properties referred to in Article V., Section 1 above, the duly authorized employee of the County or the Township, shall observe all safety rules applicable to the premises established by the owner or proprietor, who shall be held harmless for injury or death to such employees, and the County or the Township shall indemnify such owner or proprietor against loss or damage to his property by such employees and against liability claims and demands for personal injury or property damage asserted against such owner or proprietor and growing out of the gauging and sampling operation, except as such as may be caused by negligence or failure of such owner or proprietor to maintain safe conditions as required in Article IV, Section 6.

Section 3. 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 County or the Township System.

ARTICLE VI. SEWER CONNECTION CHARGE

Section 1. Each user whose premises are hereafter connected directly to a public sewer shall pay the Townships connection charge as provided in this Article and based on the unit factors shown in "Exhibit A":

Section 2.

- (a) Where the premises are connected directly to a sewer or sewer extension installed solely at the expense of the owner or solely by special assessment or solely at the expense of a subdivider or developer, the connection charge for each user shall be \$450.00 per unit for the first two units per connection and an additional \$250.00 for each additional unit or fraction thereof.
- (b) In all other cases the connection charge shall be \$900.00 per unit for the first two units per connection and an additional \$450.00 for each additional unit or fraction thereof. In any event, every connection shall be charged on the basis of at least one unit.

Section 3. The foregoing connection charges shall be paid in cash when the connection permit is issued by the County, provided that the user shall have the option of paying installments as follows: 15% of the connection charge shall be paid when the connection permit is issued by the County and the balance shall be paid in 15 equal annual installments together with interest at 6% per annum on the declining balance from the date when the connection permit is issued. The first installment and accrued interest shall be due and payable on the next December 1, which is more than 3 months after the date when the connection permit is issued, and subsequent installments with accrued interest shall be due and payable on December 1, annually thereafter, and all installments with accrued interest shall be subject to the same interest, fees and penalties as the Township taxes on such premises. The balance of any connection charge from time to time remaining unpaid may nevertheless be paid in cash at any time before due together with accrued interest to the date of payment. The balance due on a connection charge for a given premises shall be paid in full at the time said premises change ownership.

Section 4. All connection charges and all installments thereof, together with interest, fees and penalties, shall constitute a lien upon the premises connected to the sewer and such lien shall be enforced in the same manner as are liens for Township taxes.

ARTICLE VII. SEWAGE TREATMENT CHARGES

Section 1. Each user whose premises are heretofore or hereafter connected to a public sewer shall pay to the Township a monthly charge for sewage disposal and treatment as provided in this Article.

Section 2. Where the premises are served by water which is metered, the monthly charge shall be based upon water consumption, and shall be computed at the rate of \$0.32 per 100 cubic feet. Provided, however, that there shall be a monthly minimum charge of ~~\$5.00~~ per meter.

Section 3. Where the premises are not served by water which is metered, the monthly charge shall be at the rate of ~~\$5.00~~ per unit.

Section 4. The foregoing charges shall be billed and collected monthly or quarterly as the Township Board shall determine. Such charges shall become due on the 25th day of the month following the end of each billing period, and if such charges are not paid on or before that date, then a penalty of ~~10%~~ shall be added thereto. In the event that the charges for any billing period shall not be paid within the next succeeding billing period, then the water supply to such premises shall be discontinued. Service so discontinued shall not be restored until all sums then due and owing, including penalties, shall be paid, plus a water turn-on charge of \$20.00.

Section 5. The foregoing charges, including penalties, payable for sewage disposal and treatment service to any premises shall be a lien on such premises; and on August 1 of each year, the person or agency charged with the collection of such charges shall certify to the Township Assessor any charges which have been delinquent for six (6) months or more, who shall enter the same upon the next tax roll against such premises, and said charges and penalties shall be collected and said lien enforced in the same manner as provided in respect to Township taxes assessed upon such roll: Provided, however, that when a tenant is responsible for the payment of such charges for service to any premises, and the Board is so notified in writing, with a true copy of the lease of the affected premises (if there be one) attached, then no such charge

shall become a lien against such premises from and after the date of such notice. However, in the event of the filing of such notice, no further service shall be rendered to such premises until a cash deposit equal to twice the average monthly or quarterly bill to such premises shall have been made as security for payment of charges for service to such premises.

ARTICLE VIII. GENERAL PROVISIONS

Section 1. All premises in the Township upon which there exists presently or at any time hereafter, a building or structure in which water is used or is available for use, shall be connected to a public sewer if such public sewer is available to such premises. Such connection shall be made, in the case of premises upon which such a building or structure presently exists, within eighteen (18) months after the effective date of this ordinance or the date when the public sewer becomes available to such premises, whichever is the later date. Such connection shall be made, in the case of future improvement of the premises so as to require connection to a public sewer as above provided, prior to occupancy or use of the building or structure. No plat of a new subdivision shall hereafter be approved unless the developer or subdivider shall agree to install in such subdivision, at his own expense, an approved system of lateral sewers and to connect the same to a public sewer. A public sewer shall be deemed to be available to any premises if it is located in a right-of-way, easement, highway, street or public way which crosses, adjoins or abuts upon the premises and which right-of-way, easement, highway, street or public way passes not more than 200 feet distant from the building or structure on such premises in which water is used or is available for use.

Section 2. Compliance by any owner of any premises or by any other person with any requirements or regulations of the County Agent or with the terms of any permit issued by the County Agent shall not relieve such owner or other person of the obligation of complying with all requirements and regulations of the Township even though the latter may be more restrictive than those of the County Agent.

Section 3. No premises, public or private, shall be exempt from payment of the connection charges and sewage disposal and treatment charges hereinbefore established. The Township shall pay all such charges with respect to Township property connected to public sewers.

Section 4. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction before a court of competent jurisdiction, be fined a sum of not more than \$100. or imprisoned for not to exceed 90 days, or both so fined and imprisoned, and in default of payment of any fine may be imprisoned for not to exceed 90 days, in the discretion of the court.

Section 5. Each section of this ordinance, and each provision of each section, is hereby declared to be separable, and the holding of any section or provision thereof to be invalid or unenforceable shall not affect the validity or enforceability of any other section or provision.

Section 6. All other ordinances or resolutions, insofar as the same or any part thereof may be inconsistent with any provision of this

ordinance, are hereby repealed.

Section 7. This ordinance shall take effect on the thirty-first (31st) day following its publication, and shall be published in The Clio Messenger, a newspaper of general circulation in Thetford Township, Genesee County, Michigan, within ten days after its adoption.

We, Stephen W. Sears and Lawrence S. Brady, being respectively the Chairman and Clerk of the Township Board of Thetford Township, Genesee County, Michigan, do hereby certify that the foregoing Thetford Township Ordinance No. 21 was duly adopted at a regular meeting of the Township Board of Thetford Township, Genesee County, Michigan, held at Thetford Township Hall in Thetford Township, Genesee County, Michigan July 10, 1968, by yeas and nays as follows:

YEAS: Stephen W. Sears, Supervisor
Lawrence S. Brady, Clerk
Lyle D. Harmon, Treasurer
Burton Wright, Trustee

ABSENT: Howard Hobson, Trustee

NAYS: None

Stephen W. Sears
Stephen W. Sears, Supervisor

Lawrence S. Brady
Lawrence Brady, Clerk

* * * * *

I, Lawrence Brady, Clerk of Thetford Township, do hereby certify that the above Thetford Township Ordinance No. 21 was duly recorded by me in the Thetford Township Book of Ordinances kept by me; that said Ordinance No. 21 was adopted July 10, 1968 by yeas and nays as above certified; and that said Ordinance No. 21 was duly published in the Clio Messenger in its issue of July 17 - 1968, proof of publication being attached.