

SEWER USE ORDINANCE 507

ARTICLE 1

INTRODUCTION AND GENERAL PROVISIONS

The intent of this Ordinance is to regulate the use of the Bates Township, Iron County, Michigan sewerage system so as to derive the maximum public benefit. If there is any conflict between this Ordinance and any applicable State Statute, the State Statute shall be controlling.

ARTICLE 11

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the following terms used in this Ordinance shall be:

1. "Building Sewer" denotes a sanitary sewer beginning at the immediate outside of the foundation wall of any building being served to its connection with a Township sewer.
2. "Combined Sewer" shall mean a sewer designed to receive or receiving both wastewater and storm or surface water.
3. "Township Sewer" shall mean any sanitary sewer owned and operated by Bates Township.
4. "DNR" means Michigan Department of Natural Resources.
5. "Domestic Wastewater" shall mean wastewater discharged from sanitary conveniences which contain no incompatible pollutants exceeding the limits set in Article V (1) and (2) of this Ordinance.
6. "Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an

approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and does not interfere with the collection system.

7. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
8. "Holding Tank Waste" is any waste from holding tanks such as chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.
9. "Incompatible Pollutant" means any pollutant which is not a compatible pollutant.
10. "Person" shall mean any individual, firm, company, partnership, association, and private, public, and municipal corporations, districts and all political subdivisions and governmental agencies.
11. "Properly Shredded Garbage" shall mean the wastes 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 public sewers.
12. "Public Sewer" shall mean a sewer owned and maintained by Bates Township.
13. "Public Sewerage System" shall mean all structures, conduits and pipelines by which wastewater is collected and disposed of, including the wastewater treatment works, except plumbing inside and in connection with buildings and properties served, and building sewers.
14. "Sanitary Sewer" shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, or institutions.
15. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

16. "User" shall mean any person who discharges, or causes to be discharged domestic wastewater or industrial discharges into the public sewerage system.
17. "User Charge" shall mean a charge levied on users of wastewater facilities for the cost of operation, maintenance and replacement of such wastewater facilities.
18. "Wastewater Facilities" shall mean the structures, equipment and processes designed to collect, carry and treat domestic wastewater and industrial discharges.
19. "Wastewater Treatment Plant" shall mean an arrangement of lagoons and structures for treating domestic wastewater and industrial discharges.

ARTICLE 111

USE OF PUBLIC SEWERS REQUIRED

It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility within 200 feet of the Township municipal sewage collection system, except by written approval of the Township Board. Any septic tank, cesspool, or similar private wastewater disposal facility that is abandoned shall be filled with suitable material.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Township and abutting on any road or easement right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Township is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the public sewer in accordance with this Ordinance.

ARTICLE 1V
CONNECTION TO TOWNSHIP SEWERS

1. **COMBINED SEWERS:** No combined sewers shall be connected with the wastewater facilities of the Township.

2. **CONNECTION OF A BUILDING SEWER TO A TOWNSHIP SEWER:** Any person desiring to connect a building sewer to the Township sewer shall make application in writing on forms provided by the Township. Upon approval of said application, the Township shall issue a permit granting the right to make the connection and specifying special conditions which must be met prior to connection. No work of laying the building sewer shall be commenced or continued without the required connection permit being on the premises. The building sewers shall be constructed as required by State Statutes. At the time of connection, the building sewer may be inspected by the Township Building Inspector.

ARTICLE V

USE OF THE PUBLIC SEWERS

1. **GENERAL PROHIBITED DISCHARGES:** No person shall discharge wastes to the Township sewer which cause, or are capable of causing either alone or with other substances:
 - a) A fire or explosion;
 - b) Obstruction of flow or damage to the wastewater facilities;
 - c) Danger to life or safety of persons;
 - d) Prevention of effective maintenance or operation of the wastewater facilities;

2. **SPECIFIC PROHIBITED DISCHARGES:** Prohibited discharges shall include but not be limited to:
 - a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;
 - b) Any wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction or in combination with other wastes, to injury or interfere with any waste treatment process, constitute a danger to humans, flora or fauna, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant;
 - 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, or treatment works personnel.
 - d) Solids or viscous substances including, but not limited to, such substances as ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, improperly shredded garbage, whole blood, paunch manure, hair

and fleshings, entrails, paper dishes, cups, milk containers, either whole or ground by garbage grinders;

- e) Any wastewater from industrial plants containing floatable oils, fats, or grease;
- f) Any wastewater which contains organo-sulfur or organo-phosphate pesticides, herbicides or fertilizers.

3. PROHIBITIONS ON STORM DRAINAGE AND GROUNDWATER DISCHARGES: Storm water, groundwater, rainwater, road drainage, roof run-off, and subsurface drainage shall not be discharged into the Township sewers.

4. PROHIBITION ON UNPOLLUTED WATER DISCHARGES:

Unpolluted water, including but not limited to, cooling water, process water, or blow-down from cooling towers or evaporative coolers shall not be discharged into Township sewers without proper approval of the Township Board. Such approval shall be granted when no reasonable alternative method of disposal is available and upon payment of applicable user charges and fees and compliance with conditions as determined by the Township.

5. LIMITATIONS RELATED TO TREATMENT PLANT INFLUENT:

Discharge to the public sewerage system of the following described substances, materials, waters, or waste shall be limited to concentrations or quantities which will not harm the sewers, wastewater treatment process or equipment, will not endanger persons or property, will not cause air pollution or other detrimental environmental effects, and will not constitute a nuisance:

- a) Liquid having a temperature higher than 149° F (65°C).

- b) Wax, grease, oil, plastic or any other substance that solidifies or becomes discernible viscous.
- c) Radioactive wastes which, alone or with other wastes, result in releases greater than those specified by current United States Bureau of Standards Handbooks, or which violate rules or regulations of any applicable regulatory agency.
- d) Wastewater containing more than 50 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin.
- e) Wastewater containing more than 300 mg/l of oil or grease of animal or vegetable origin.
- f) Wastewater which is in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes, more than 5 times the average 24 hour concentration or flows during normal operation.
- g) Wastewater which contains in excess of:
 - 1.0-----mg/l----aluminum
 - 0.02-----mg/l----cadmium
 - 0.2-----mg/l----copper
 - 0.2-----mg/l----lead
 - 2.0-----mg/l----mercury
 - 0.3-----mg/l----selenium
 - 0.04-----mg/l---- silver
 - 0.5-----mg/l----total chromium
 - 2.0-----mg/l----zinc
- h) The Township may change the requirements established in the regulations above if necessary to meet the objectives of this Ordinance.

6. ACCIDENTAL DISCHARGE OF PROHIBITED WASTEWATER:

Any person who discharges into the public sewerage system wastes or wastewater prohibited under this Ordinance shall immediately report such a discharge to the Township. Within 15 days of such discharge a detailed written statement describing the cause of the discharge and the measures taken to prevent a future occurrence shall be submitted to the Township.

7. ALTERNATIVES TO ACCEPTANCE OF WASTEWATER: If any waters or wastes are discharged or are proposed to be discharged to the public sewers in excess of those limitations enumerated in (5) of this Article, the Township may:

- a) Reject the wastes
- b) Require pretreatment
- c) Require the control of the quantities and rates of discharge, and/or
- d) Recover the increased costs of handling and treating such wastes.

8. PRETREATMENT OF INDUSTRIAL WASTES: Industrial users may be required to pretreat their wastewater when necessary to protect the wastewater facilities or prevent discharge of incompatible pollutants. Construction, operation and maintenance of pretreatment facilities shall be at the expense of the user.

9. LIMITATIONS ON DISCHARGE OF HOLDING TANK WASTES:

No person shall discharge any holding tank wastes directly into a manhole or other opening in the Township sewer.

10. SAND AND GREASE TRAP INSTALLATIONS: The installation of grease, oil and sand interceptors at repair garages, gasoline stations, car washes, and other industrial or commercial

establishments are required where necessary to prevent discharge of sand, flammable wastes, oil or grease in amounts exceeding the limits of Article V. All such traps shall be constructed and maintained by the owner at his expense and shall be readily accessible for cleaning and inspection.

ARTICLE VI WASTEWATER MEASUREMENT, SAMPLING AND REPORTING

1. **MONITORING FACILITIES:** Wastewater characteristics and constituents may be monitored by the Township to determine compliance with this Ordinance.
 - a) A new user who expects to discharge, or how is capable of discharging, wastewater having constituents or characteristics different from domestic wastewater shall install a monitoring facility.
 - b) An existing user whose discharges are different from domestic wastewater may be required by the Township to install a monitoring facility. Construction of such facility must be completed within 90 days after the user has been notified of the requirement, unless the Township grants an extension of time.
 - c) All monitoring facilities shall be constructed at owner's expense in accordance with plans approved by the Township. The monitoring facility shall contain the necessary meters and equipment to facilitate the observation, sampling, and measurement of wastes, and shall be maintained by the owner so as to be safe and accessible at all times.
 - d) The requirements of paragraphs (a), (b) and (c) of this section may be waived upon special written permission of the Township.
2. **POWERS AND AUTHORITY FOR INSPECTION AND SAMPLING:**
 - a) Agents of Township shall be allowed access to all monitoring facilities.

- b) Inspectors bearing proper credentials and identification shall be allowed access to all property serviced by the Township, for the purpose of inspection, observation, measurement, sampling, and testing of discharges to the wastewater facilities, or for the purpose of inspection, repair, or maintenance of any portion of the Township's wastewater facilities.
 - c) The Township may require industrial users to provide information about industrial processes which may have an effect on the nature of the industrial discharges. Such industrial process information may be withheld if the industrial user demonstrates to the satisfaction of the Township that release of such information to the public would reveal trade secrets or result in an advantage to competitors. No effluent data may be withheld, but will be kept confidential if necessary, to protect the trade secrets of an industrial user.
3. REPORTING REQUIREMENTS:
- a) The Township may require a user to provide information concerning but not limited to:
 - 1) Volume, time and peak rate of discharges
 - 2) Chemical analysis of discharges
 - 3) Raw materials, processes and products relevant to discharge characteristics
 - 4) Discharges of specific wastes, such as sludge, oil, solvent, or incompatible pollutants
 - 5) Plot plans of sewers on the user's property showing locations of sewers, monitoring facilities and pretreatment facilities
 - 6) Details of pretreatment facilities

- 7) Details of systems to prevent losses of materials through spills to the municipal sewers
- b) Each industrial contributor shall submit to the Township by the 15th of March each year a report on the quality and quantity of his industrial discharges.
 - c) If any industrial contributor discharges incompatible pollutants which require pretreatment prior to discharge to the public sewerage system, the quality and quantity of the discharge shall be reported to the municipality quarterly by March 15th, June 15th, September 15th and December 15th.
 - d) The reporting period shall not include the 30-day period immediately preceding the day that the report is due. All analyses should be done on representative 24-hour composite samples taken during a typical operating day.
 - e) All measurements and test analyses of the characteristics of wastewater shall be determined in accordance with "Standard Methods". Alternate methods of analysis may be used, subject to prior written approval of the municipality.

BATES TOWNSHIP SEWER USE ORDINANCE NO. 507

Passed and adopted by the Township of Bates, Michigan, on

October 14, 2015, and approved by me on October 14, 2015.

Grent Helgemo

Supervisor

Township of Bates

Attest:

Barbara Benson-Stafford

Township Clerk

Yeas CLERK BENSON-STAFFORD

Trustee Wodzynski

Trustee Bobnock

Treasurer Nelson

Supervisor Helgemo

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I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Bates, County of Iron, State of Michigan, at a regular meeting held on 10/14/2015, and that public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and Township Clerk.

Barbara Benson-Stafford

Township Clerk

SEWER RATE AND MANDATORY CONNECTION ORDINANCE

ORDINANCE 507 PART 2

AN ORDINANCE ESTABLISHING RATES AND CHARGES AND PROVIDING FOR THE ENFORCEMENT THEREOF FOR THE USE AND SERVICE OF THE SANITARY SEWAGE DISPOSAL SYSTEM OF THE TOWNSHIP OF BATES, MICHIGAN AND TO PROVIDE FOR THE MANDATORY CONNECTION TO SAID SYSTEM AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO SAID SYSTEM.

THE TOWNSHIP OF BATES ORDAINS:

Section 1 It is hereby determined to be desirable and necessary, for the public health, safety and welfare of the Township of Bates, that the Township's Sanitary Sewage Disposal System be operated by said Township on a public utility rate basis in accordance with the provisions of ACT 94, Public Acts of Michigan, 1933, as amended.

Section 2 Whenever the words "the System" are referred to in this Ordinance, they shall be understood to mean the complete Township of Bates Sanitary Sewage Disposal System, including all sewers, pumps, lift stations, treatment facilities, and all other facilities used or useful in the collection, treatment and disposal of domestic, commercial or industrial wastes, including all appurtenances be acquired.

Whenever the words "revenues" and "net revenues" are used in this Ordinance, they shall be understood to have the meanings as defined in Section 3, Act 94, Public Acts of Michigan, 1933, as amended.

Section 3 The operation, maintenance, alteration, repair and management of the System shall be under the supervision and control of the Township Board. Said Township may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the System and may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the System.

Section 4 Rates to be charged for service furnished by the Township shall be as follows:

SEWER USE CHARGES

Sewer use charges for residential premises will be a minimum monthly charge of \$24 per equivalent user.

SPECIAL RATES

For miscellaneous or special services for which a special rate shall be established, such rates shall be fixed by the Township Board.

BILLING

Bills will be rendered the first of each month and payable without penalty within 21 days. Payments received after such period shall bear a penalty of 10% of the amount of the bill.

Section 5 No free service shall be furnished by said System to any person, firm or corporation, public or private, or to any public agency or instrumentality.

Section 6 The rates hereby fixed are estimated to be sufficient to provide for the payment of the expenses of administration and operation, such expenses for maintenance of the said System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for said System as this Ordinance may require. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts.

Section 7 Applications for sewer service shall be filed with the Township Clerk upon a form to be supplied by the Township. The application shall state the name of the applicant and the premises to be served. All applications shall be accompanied by a \$200 connection charge + a \$25 inspection charge.

Section 8 It is hereby made the duty of the Township Treasurer to render bills for service and all other charges in connection therewith and to collect all monies due therefrom.

Section 9 The System shall be operated on the basis of an operating year commencing on April 1st and ending on the March 31st next following.

Section 10 It is hereby determined and declared that public sanitary sewers are essential to the health, safety and welfare of the people of the Township of Bates; that all premises on which structures in which sanitary sewage originates are situated shall connect to the System at the earliest, reasonable date as a matter for the protection of the public health, safety and welfare of the people of the Township of Bates, and therefore, all premises on which structures in which sanitary sewage originates are situated or become

situated and to which sewer services of the System shall be available shall connect to said System within 90 days after the mailing or posting of notice of such premises by the appropriate Township official that such services are available. Said notification and enforcement of this Section shall be in conformity with Act 288 of the Public Acts of Michigan of 1972.

Section 11 If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 12 All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 13 This Ordinance shall be published once, in full, in a newspaper of general circulation within the boundaries of the Township of Bates, Michigan, and qualified under State law to publish legal notices, promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signatures of the Supervisor and Township Clerk.

Section 14 This Ordinance is hereby determined to be immediately necessary for the preservation of the peace, health and safety of the Township and shall become effective immediately upon its adoption.

BATES TOWNSHIP SEWER RATE AND MANDATORY CONNECTION
ORDINANCE NO. 507 PART 2

Passed and adopted by the Township of Bates, Michigan, on

October 14, 2015, and approved by me on October 14, 2015.

Grant Helgemo

Supervisor

Township of Bates

Attest:

Barbara Benson Stafford

Township Clerk

Yes CLERK BENSON-STAFFORD

TRUSTEE WODZINSKI

TRUSTEE BOBNOCK

TREASURER NELSON

SUPERVISOR HELGEMO

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Barbara Benson Stafford

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