

PART V  
CHAPTER 4  
RESOLUTION FOR THE ADOPTION  
OF THE  
AUGUSTA TOWNSHIP WATER AND SEWER USE ORDINANCE

*Revised*

Whereas, the Board of Trustees of Augusta Township having determined that a general scheme and plan for the acquisition, establishment, and operation of a public water and sewer system within the Township is necessary and in the best interests of the public health, safety, morals, comfort, and general welfare of the Township and its residents.

NOW, therefore, it is hereby

RESOLVED: That Ordinance NO. 3, also known as the Augusta Township Water and Sewer Use Ordinance, be and hereby is adopted and that on it's effective date of 6-13-84 shall replace existing Ordinance No. 3, also known as the Augusta Township Sewer & Water Use Ordinance and any and all amendments made thereto.

I hereby certify that the following constitutes a true and complete copy of Ordinance No. 3, duly adopted by the Township Board of the Township of Augusta, County of Washtenaw, Michigan, at a regular meeting held on April 17, 1984, at which all members were present except Blackmon and that public notice of said meeting was given pursuant to Act No. 261, Public Acts of Michigan, 1968, including in the case of a special or rescheduled meeting notice by publication or posting at least twelve hours prior to the time set for the meeting.

I further certify that Member Ladd moved adoption of said Ordinance and that Member Brabant supported said motion.

I further certify that the following Members voted for adoption of said Ordinance Pascoe, Ladd, Brabant, Higginbottom

and that the following Members voted against adoption of said Ordinance None (Blackmon absent)

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

Joanne L. Ladd  
Joanne L. Ladd, Township Clerk  
April 18, 1984

Published 5-14-84

ORDINANCE NO. 3

AUGUSTA TOWNSHIP WATER AND SEWER USE ORDINANCE

AN ORDINANCE AUTHORIZING THE ACQUISITIONS, ESTABLISHMENT, AND OPERATION OF A PUBLIC WATER AND SEWER SYSTEM FOR THE TOWNSHIP OF AUGUSTA: PROVIDING FOR THE FIXING, COLLECTION, SEGREGATION, AND DISPOSITION OF THE REVENUES OF SAID WATER AND SEWER SYSTEMS: PROVIDING FOR THE MAINTENANCE AND REPAIR OF SAID SYSTEMS AND PROVIDING FOR THE MATTERS RELATIVE TO SAID WATER AND SEWER SYSTEMS UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF THE STATE OF MICHIGAN FOR THE YEAR 1933, AS AMENDED.

THE TOWNSHIP OF AUGUSTA ORDAINS:

IT IS HEREBY DETERMINED TO BE DESIRABLE AND NECESSARY FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE TOWNSHIP OF AUGUSTA, WASHTENAW COUNTY, MICHIGAN, THAT THE FOLLOWING WATER AND SEWER USE ORDINANCE BE ENACTED.

ORDINANCE NO. 3

11.300

It is hereby determined to be desirable and necessary for <sup>the</sup> public health, safety, and welfare of the Township of Augusta, Washtenaw County, Michigan (hereinafter called "The Township"), to combine the sewage disposal system and the water supply system of the Township into one public utility system and operate the same on a public utility rate basis in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

AUGUSTA TOWNSHIP ORDAINS: For the purpose of carrying out the provisions of this Ordinance and the improvements, alteration, repairs and management of the System, there is hereby created a Utilities Department which shall be responsible to the Township Board. The Utilities Department shall consist of the Superintendent thereof and such other persons as shall be employed by and at the discretion of the Township Board. The Superintendent shall be in immediate charge of the Utilities Department and shall be responsible to the Township Board. The said employees shall have capacities and powers as the Superintendent shall determine.

ARTICLE I

**Definitions:** Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance, shall have the meaning hereinafter designated.

Whenever the words, "The System" are referred to in this <sup>System</sup> Ordinance, they shall be understood to mean the complete sewage disposal of the Township and the complete water supply system of the Township, including all water mains, hydrants, treatment facilities, sewers, pumps, lift stations, treatment and distribution of water for domestic, fire fighting and other uses, and in collection, treatment and disposal of domestic, commercial or industrial wastes, including all appurtenances thereto and including all extensions and improvements thereto, which may be acquired.

Whenever the phrase "Service Line" is used in this Ordinance, it shall be understood to mean a pipe connecting a water main of the system to a water meter installed on any premises.

Section 1 Act, "The Act", the Federal Water Pollution Control Act and the Clean Water Act are used interchangeably in this Ordinance and refer to Public Law 92-500, as adopted in 1972 and amended by Public Law 95-217 in 1977, and any succeeding amendments.

Section 2 Alternative Discharge Limit. Limits set by the YCUA in lieu of

the promulgated National Categorical Pretreatment Standards, for integrated facilities in accordance with the combined wastestream formula as set by the EPA.

- Section 3 ASTM shall mean Annual Book of Standards Part 23, Water Atmospheric Analysis, 1972. This publication is available from the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.
- Section 4 Authority shall mean the Superintendent of Augusta Utilities Department, or Authorized Representative.
- Section 5 Authorized Representative of Industrial User. An authorized representative of an Industrial User may be (a) a principal executive officer of at least the level of vice-president, if the Industrial User is a corporation; (b) a general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; or (c) a duly authorized representative of the individual designated above if such a representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- Section 6 Biochemical Oxygen Demand (BOD) . The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure: five (5) days at 20° Centigrade expressed in terms of weight and concentration (milligrams per liter).
- Section 7 Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the drainage from soil, waste and other drainage pipes inside the walls of the building, and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.
- Section 8 Building Sewers shall mean the extension from the building drain to the public sewer or other places of disposal.
- Section 9 Chemical Oxygen Demand (COD) . A measure of the oxygen-consuming capacity of inorganic and organic mater present in the water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxident in a specified test. It does not differentiate between stable and unstable organic matter, and thus, does not necessarily correlate with biochemical oxygen demand. It is also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.
- Section 10 Chlorine Demand shall mean the difference between the amount of chlorine added to water or wastewater, and the amount of residual chlorine remaining at the end of a specified contact period. The demand for any given water varies with the amount

of chlorine applied, time of contact and temperature.

- Section 11 Combined Sewer shall mean a sewer receiving both surface runoff and sewage.
- Section 12 Combined Wastestream shall mean the wastestream at industrial facilities where regulated process effluent is mixed with other wastewaters (either regulated or unregulated) prior to treatment.
- Section 13 Compatible Pollutant. A substance amenable to treatment in the wastewater treatment plant such as biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES Permit, if the publicly owned treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree. Examples of such additional pollutants may include: chemical oxygen demand, total organic carbon, phosphorus and phosphorus compounds, nitrogen compounds, fats, oils and greases of animal or vegetable origin.
- Section 14 Composite Sample. A series of samples taken over a specific period of time and eventually combined into one sample whose volume is proportional to the flow in the wastestream.
- Section 15 Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- Section 16 Debt Service Charges. The charges levied to customers of the water and wastewater systems which are used to pay principal, interest and administrative costs of retiring the debt incurred for construction of the water system and sewage works.
- Section 17 Director. The Director of the YCUA or his authorized deputy, agent or representative.
- Section 18 Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency, Administrator or other duly authorized official.
- Section 19 Footing Drain shall mean a pipe or conduit which is placed around the perimeter of a building foundation and which intentionally admits ground water.
- Section 20 Garbage shall mean solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

- Section 21 Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- Section 22 Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- Section 23 Incompatible Pollutants. Any pollutant which is not a compatible pollutant.
- Section 24 Industrial Wastes. The wastewater discharges from industrial, manufacturing, trade, or business processes, or wastewater discharge from any structure with these characteristics, as distinct from their employee's domestic wastes or wastes from sanitary conveniences.
- Section 25 Infiltration. That portion of groundwater which is unintentionally admitted to a sewer.
- Section 26 Inflow shall mean the discharge of any kind of water into sewers from roof leaders, cellars, yard area drains, commercial and industrial so-called clean waters, drains from springs and swamps, and does not include infiltraiton flow as defined previously.
- Section 27 Integrated Facilities. Industrial facilities with combined wastestream.
- Section 28 Interference. The inhibition or disruption of the sewage treatment plant processes or operations which contribute to a violation of the YCUA NPDES Permit or reduce the efficiency of the sewage works. The term also includes prevention of sewage sludge use or disposal by the sewage works.
- Section 29 Laboratory Determination. The measurements, tests and analyses of the characteristics of waters and wastes in accordance with the methods contained in the latest edition at the time of any such measurement, test, or analysis of "Standard Methods for Examination of Water and Waste Water," a joint publication of the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation or in accordance with any other method prescribed by the rules and regulations promulgated pursuant to this division.
- Section 30 Multiple Family Residence shall mean any residence with two or more distinct living units having separate kitchens, bathrooms, entrances, and passageways.

- Section 31 National Categorical Pretreatment Standard. Any federal regulation containing pollutant discharge limits promulgated by the EPA which applies to a specific category of Industrial Users.
- Section 32 National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).
- Section 33 National Prohibitive Discharge Standard or Prohibitive Discharge Standards. Any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5.
- Section 34 Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface of ground water.
- Section 35 Net Revenues shall mean the revenues of any public improvement remaining after deducting the reasonable expenses of administration, operation and maintenance of such public improvement.
- Section 36 New Source. Any source, the construction of which is commenced after the adoption of this ordinance.
- Section 37 Normal Domestic Sewage. Sewage with a concentration of (a) 300 mg/l biochemical oxygen demand, (b) 350 mg/l of suspended solids and (c) 13 mg/l of phosphates.
- Section 38 Operation and Maintenance means all work, materials, equipment, utilities, administration and other effort required to operate and maintain the sewage works consistent with insuring adequate treatment of wastewater to produce an effluent in compliance with the NPDES Permit and other applicable State and Federal regulations, and includes the cost of replacement.
- Section 39 Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representatives, agents or assignees. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
- Section 40 pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- Section 41 Pollutant. Any of various chemicals, substances, and refuse

materials such as solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat, and industrial, municipal and agricultural wastes which impair the purity of the water and soil.

- Section 42 Pollution. The man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of water.
- Section 43 Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the sewage works. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes other means, except as prohibited by 40CFR Section 403.6(d).
- Section 44 Pretreatment Requirements. Any substantive or procedural requirement for treating of a waste prior to inclusion in the sewage works.
- Section 45 Pretreatment Standards. National Categorical Pretreatment Standards, Alternative Discharge Limits, or other Federal, State, or Local standards, whichever are applicable.
- Section 46 Properly Shredded Garbage. Garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than  $\frac{1}{4}$ -inch in any dimension.
- Section 47 Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by Public Authority.
- Section 48 Replacement means the replacement in whole or in part of any equipment in the wastewater transportation or treatment systems to insure continuous treatment of wastewater in accordance with the NPDES Permit and other State and Federal regulations.
- Section 49 Revenues shall mean all the income derived from the rates charged for the services, facilities, and commodities furnished by any public improvement.
- Section 50 Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- Section 51 Sewage or Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water, and storm water that may be present, whether

treated or untreated, which is contributed into or permitted to enter the sewage works.

- Section 52 Sewage Treatment or Wastewater Treatment Plant. Any arrangement of devices and structures used for treating sewage.
- Section 53 Sewage Works. All municipal facilities for collecting, pumping treating and disposing of sewage.
- Section 54 Sewer shall mean a pipe or conduit for carrying sewage.
- Section 55 Sewer Service Charge means the sum of any applicable user charges, surcharges and debt service charges.
- Section 56 Shall is mandatory; May is permissive.
- Section 57 Significant Violation. Those violations which remain uncorrected forty-five days after notification of noncompliance, which are a part of a pattern of noncompliance over a twelve month period, which involve a failure to accurately report noncompliance, or which result in the exercise of the sewage works' emergency authority under 40 CFR 403.8(f) (2) (vi) (B).
- Section 58 Slug. Any discharge of water, sewage or industrial waste which, 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 of flows during normal operation.
- Section 59 Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- Section 60 Standard Methods shall mean Standard Methods For the Examination of Water and Waste Water, 13 Edition, 1971. This publication is available from the American Public Health Association, 1015 18th Street, N.W. , Washington, D.C. 20036.
- Section 61 State. State of Michigan.
- Section 62 Storm Sewer or Storm Drain shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- Section 63 Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- Section 64 Superintendent shall mean the Superintendent of the Augusta Township Utilities Department as provided for in Article II,

or his authorized deputy, agent, or representative. (Art. II is 111.020.)

**Section 65 Surcharge** shall mean an extra charge to cover the cost of treating, sampling and testing extra strength sewage.

**Section 66 Suspended Solids**. The total suspended matter that floats on the surface of , or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

**Section 67 Township**. Augusta Township or the Augusta Township Board.

**Section 68 Toxic Pollutant**. Any pollutant or combination of pollutants which is or can potentially be harmful to public health or environment including those listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of CWA 307(a) or other Acts.

**Section 69 Unit** shall mean the 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 set forth in the "Table of Unit Factors" which is marked Appendix "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 by the Superintendent of the Utilities Department, and approved by the Township Board.

**Section 70 User**. Any person who contributes, causes or permits the contribution of wastewater into the sewage works.

**Section 71 User Charge** means a charge levied on users of a treatment works for the cost of operation and maintenance of sewage works pursuant to Section 204(b) of PL 92-500 and includes the cost of replacement.

**Section 72 User Class** means the kind of user connected to sanitary sewers including but not limited to residential, industrial, commercial, institutional and governmental.

(a) **Residential User** shall mean a user of the treatment works whose premises or buildings are used primarily as domicile for one or more persons, including dwelling units such as detached, semi-detached and row houses, mobile homes, apartments, or permanent multi-family dwellings (transit lodging is not included; it is considered commercial).

(b) **Industrial User** shall mean any user who discharges an "Industrial Waste" as defined in this Ordinance.

(c) **Commercial User** shall mean an establishment listed in the Office of Management and Budget's "Standard Industrial Classification Manual"(SICM), (1972 Edition) involved in a commercial enterprise, business or service which is based on a determination by Augusta Township discharges primarily segregated domestic wastes or wastes from sanitary conveniences and which is not a residential user or an

industrial user.

(d) Institutional User shall mean any establishment listed in the "SICM" involved in a social, charitable, religious, or educational function which, based on a determination by Augusta Township discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

(e) Governmental User shall mean any Federal, State, or Local Governmental User of the wastewater treatment works.

Section 73 Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 74 Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Section 75 WPCF shall denote Water Pollution Control Federation Standards that are currently available.

Section 76 YCUA shall denote the Ypsilanti Community Utilities Authority which shall provide facilities for the treatment and disposal of the sewage and wastes of Augusta Township along with services reasonable related thereto.

Section 77 Cross Connections shall mean a connection or arrangement of piping or appurtenances through which water of questionable quality, wastes or other contaminants can enter the public water supply system.

Section 78 (Others to be added later as the community deems necessary.)

## ARTICLE II

### ABBREVIATIONS

The following abbreviations shall have the designated meanings.

Section 1 BOD - Biochemical Oxygen Demand

Section 2 CFR - Code of Federal Regulations

Section 3 COD - Chemical Oxygen Demand

Section 4 EPA - Environmental Protection Agency

Section 5 l - liter

Section 6 MDNR - Michigan Department of Natural Resources

Section 7 mg - milligrams

Section 8 mg/l - milligrams per liter

Section 9 NPDES - National Pollutant Discharge Elimination System

- Section 10 SIC - Standard Industrial Classification
- Section 11 SS - Suspended Solids
- Section 12 USC - United States Code
- Section 13 O & M - Operation and Maintenance
- Section 14 CWA - Clean Water Act
- Section 15 YCUA - Ypsilanti Community Utilities Authority
- Section 16 ASTM - American Society for Testing Materials
- Section 17 WPCF - Water Pollution Control Federation

ARTICLE III

USE OF PUBLIC SEWERS REQUIRED

- Section 1 It shall be unlawful for any persons to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the Township, or in any area under its jurisdiction, any human or animal excrement, garbage or other objectionable waste.
- Section 2 It shall be unlawful to discharge to any natural outlet, any sanitary sewage, industrial wastes, or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- Section 3 Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- Section 4 The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purpose situated within the Township and abutting on a lane, street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer or combined sewer of the Township, is hereby required at his expense to install suitable sewage facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so provided that said public sewer is within 200 feet from the closest structure on such premises.

ARTICLE IV

PRIVATE SEWAGE DISPOSAL

- Section 1 Where a public sanitary sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Washtenaw County Health Department.
- Section 2 The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Washtenaw County Health Department.
- Section 3 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Township of Augusta.
- Section 4 At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, Section 4, a direct connection shall be made to the public sewer in compliance with this Ordinance. At the time said connection is made, any septic tanks, cesspools, or similar private sewage disposal facilities shall be cleaned of sludge and filled with clean bank run gravel or dirt or removed.
- Section 5 No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the State or County Health Departments.

ARTICLE V

USES OF THE PUBLIC SEWER SYSTEM

- Section 1** No person shall discharge or cause to be discharged any storm water, surface water, ground water, water from footing drains, roof water, or other unpolluted water to any sanitary sewer or sewer connection except as otherwise provided in this Ordinance. Any premises connected to a storm sewer shall comply with County, State, and Federal requirements as well as those by the Township.
- Section 2** Storm water, ground water, water from footing drains and all other unpolluted drainage shall be discharged into such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet, except as otherwise provided in this Ordinance. Industrial cooling water or unpolluted process waters may be discharged upon application and approval of the YCUA and the appropriate State agency to a storm sewer or natural outlet.
- Section 3** Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for single family or multiple family dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding 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 and watertight. When installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in efficient operation at all times.
- Section 4** No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation or performance of the sewage works. A User may not contribute the following substances to the sewage works:
- A.** Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewage works.

- B. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities.
- C. Any wastewater having a pH less than 6.0 or greater than 9.5, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage works.
- D. Any wastewater containing toxic pollutants or of high chlorine demand in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the sewage works, or exceed the limitation set forth in the EPA Categorical Pretreatment Standard, or any other Federal, State or County standards.
- E. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- F. Any substance which may cause the sewage works' effluent or any other product of the sewage works, such as residues, sludges, or scums, to be unsuitable for land application or reclamation and reuse of to interfere with with the reclamation process.
- G. Any substance which will cause the sewage works to violate its NPDES Permit or the receiving water quality standards.
- H. Any wastewater with color of sufficient light absorbancy to interfere with treatment plant process, prevent analytical determinations, or create any aesthetic effect on the treatment plant effluent, such as, but not limited to, dye wastes and vegetable tanning solutions.
- I. Any wastewater having a temperature which will inhibit biological activity in the sewage works resulting in interference, but in no case wastewater with a temperature at the introduction into the sewage works which exceeds 66° C (150° F) or is lower than 0° C (32° F).
- J. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause interference to the sewage works.
- K. Any wastewater containing any radioactive wastes or isotopes of such halflife or concentration as may exceed

limits established by applicable State or Federal regulations.

L. Any wastewater which causes a hazard to human life or creates a public nuisance.

Section 5 Upon the promulgation of the National Categorical Pretreatment Standards, Alternative Discharge Limits, or other Federal or State limitations, for a particular industrial subcategory, the Pretreatment Standard, if more stringent than limitations imposed upon this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance and shall be considered part of this Ordinance. The YCUA shall notify all affected Users of the applicable reporting requirements.

Section 6 No person shall discharge wastewater containing in excess of the following without the express written permission of the Superintendent.

<u>0.005</u>	mg/l beryllium
<u>1.0</u>	mg/l cadmium
<u>3.0</u>	mg/l copper
<u>1.0</u>	mg/l cyanide
<u>0.5</u>	mg/l lead
<u>0.0005</u>	mg/l mercury
<u>3.0</u>	mg/l nickel
<u>4.0</u>	mg/l total chromium
<u>3.0</u>	mg/l zinc
<u>0.02</u>	mg/l phenolic compounds
<u>100.0</u>	mg/l oil and grease
<u>300.0</u>	mg/l BOD
<u>350.0</u>	mg/l SS
<u>600.0</u>	mg/l COD
<u>15.0</u>	mg/l Chlorine demand after 30 minutes detention time
<u>13.0</u>	mg/l Phosphates as P
<u>1.0</u>	mg/l methylene chloride

40.0 mg/l total nitrogen (TKN)

The Superintendent shall annually review the quantities of industrial pollutants listed above which are discharged or proposed to be discharged to the sewage works. The Superintendent shall recommend any revisions to these limits necessary to insure that the NPDES Permit, Federal Pretreatment Standards and Water Resources limits are met and to insure that the industrial discharge will not interfere with the treatment process of sludge disposal. At such time as the previously cited limits are changed by the Township or YCUA, the unit authorizing such change shall notify the remaining units of such change.

Section 7 All measurements, tests and analyses of the characteristics of waters and wastes to which references are made shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater of Guidelines Establishing Test Procedures for the Analysis of Pollutants, Federal Register 40 CRF 136, published in the Federal Register on October 16, 1973, and succeeding amendments, and shall be determined at the monitoring facilities provided for in Article VI, Section 6 or upon suitable samples taken of said facilities. In the event that no special facilities have been required, samples shall be taken at the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

Section 8 If the character of the wastewater from any manufacturing or industrial plant or any other building or premises exceeds the strength of normal domestic sewage or shall be such as to impose any unreasonable burden upon the ~~sewers~~<sup>sewers</sup> of the System or upon the sewage treatment plant in excess of the maximum limit prescribed in this Ordinance, then an additional charge shall be made over and above the regular rates, or the Township shall require that such sewage be treated by the person, firm, or corporation responsible therefore being emptied into the sewer or the right to empty such sewage shall be denied, if necessary, to protect the System or any part thereof. Surcharges required shall be computed as the prorated share of the annual costs of operation and maintenance, including replacement, attributable to treating a substance, multiplied by the ratio of weight of surchargeable excess to the discharged substance to the total weight of such substance that is treated in that year. The strength of such wastes shall be determined by composite samples taken over a sufficient period of time to insure a representative sample. The cost of sampling and testing shall be borne by the industry or establishment, whether owner or lessee. Tests shall be made by an independent laboratory or at the YCUA Wastewater Treatment Plant.

Any wastewater discharged into the sewer system having a substance in excess of those prescribed in Section 6 of this Article shall be permitted only if provided for in a special

agreement with the industrial concern discharging the wastewater, only if such agreement provides for the payment by the industrial concern for the full cost of treating such excess constituents in the wastewater.

Section 9 No statement contained in this Article shall be construed as preventing any special agreement between the Superintendent and any industrial concern whereby an industrial waste of unusual strength or character may be accepted, subject to payment therefore by the industrial concern, provided such agreement shall not violate EPA guidelines or NPDES requirements and provided user charges and surcharges as provided in the Ordinance are agreed to in the agreement.

Section 10 No User shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, Alternative Discharge Limits, or in any other pollutant-specific limitation developed by the YCUA or State. Dilution may be an acceptable means of complying with some of the prohibitions set forth in Section 8 or 10 of this Article, upon prior written approval of the Superintendent.

Section 11 Where required, a User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review, and shall be approved by the Superintendent before construction of the facility. All required Users shall complete such a program within 90 days of notification by the Superintendent. If required by the Superintendent, a User who commences contribution to the sewage works after the effective date of this Ordinance shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Superintendent. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the User's facility as necessary to meet the requirements of this Ordinance. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the YCUA sewage works or the Township of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

- A. Within five (5) days following an accidental discharge, the User shall submit to the Superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the sewage works, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Article or other applicable law. Failure to file a report shall be a separate violation of this Ordinance.

Section 12 To determine the sewage flow from any establishment, the Utilities Department may use one of the following methods:

- A. The amount of water supplied to the premises by the public water system as shown upon the water meter if the premises are metered, or
- B. If the premises are supplied with river water or water from private wells, the amount of water supplied from such sources may be metered at the source or metered at its point of discharge prior to entry into the public sewer, or
- C. If such premises are used for an industrial or commercial purpose of such a nature that the water supplied to the premises cannot be entirely discharged into the sewer system, the estimate of the amount of sewage discharged into the sewer system made by the Utilities Department from the water, gas or electric supply, or metered at its point of discharge prior to entry into the public sewer, or
- D. The volume of sewage discharged into the sewer system as determined by measurements and samples taken at a manhole installed by the owner of the property served by the sewer system at his own expense in accordance with the terms and conditions of the permit issued by the Utilities Department pursuant to this section, or
- E. A figure determined by the Utilities Department by any combination of the foregoing or by any other equitable method.

ARTICLE VI

INDUSTRIAL USERS REQUIREMENTS

- Section 1 It shall be unlawful to discharge to the waters of the state within the Township, or in any area under the jurisdiction of said Township and/or to the sewage works, any wastewater except as provided by an NPDES Permit and/or as authorized by the Township in accordance with the provisions of this Ordinance.
- Section 2 All industrial users proposing to connect to or to contribute to the sewage works shall submit information on the User, processes and wastewater to the Director before connecting to or contributing to the sewage works. All existing industrial users connected to or contributing to the sewage works shall submit this information within thirty (30) days after the effective date of this Ordinance. The information submitted must be sufficient for the YCUA to determine the impact of the User's discharge on the sewage works and the need for pretreatment. the User shall submit, in units and terms appropriate for evaluation, the following information:
- A. Name, address and location (if different from the address)
  - B. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended
  - C. Wastewater constituents and characteristics including but not limited to those mentioned in Section 2 of this Ordinance as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with the procedures and methods detailed in:
    - "Standard Methods for the Examination of Water and Wastewater", American Public Health Association
    - "Manual of Methods for Chemical Analysis of Water and Wastes", United States Environmental Protection Agency
    - "Annual Book of Standards, Part 131, Water, Atmospheric Analysis, 1975", American Society of Testing Materials
  - D. Time and duration of contribution

- E. Average daily wastewater flow rates, including daily, monthly and seasonal variations, if any.
- F. Industries identified as significant industries or subject to the National Categorical Pretreatment Standards or those required by the YCUA must submit site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation.
- G. Description of activities, facilities, and plant processes on the premises including all materials which are or could be discharged
- H. Where known, the nature and concentration of any pollutants in the discharge which are limited by any YCUA, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance and/or additional pretreatment is required by the Industrial User to meet applicable Pretreatment Standards
- I. If additional pretreatment and/or O & M will be required to meet the Pretreatment Standards; the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:
  - (1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional of additional pretreatment required for the User to meet the applicable Pretreatment Standards.
  - (2) No increment referred to in paragraph (1) shall exceed nine (9) months.
  - (3) Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Director including, as a minimum, whether or not it complied with the increment of progress to be met on such date and , if not, the date on which it expects to comply with this increment of progress,

the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Director.

- J. Each product produced by type, amount, process or processes and rate of production.
- K. Type and amount of raw materials processed, average and maximum per day.
- L. Number and type of employees, hours of operation of plant and proposed or actual hours of operation of pretreatment system.
- M. Any other information as may be deemed by the Superintendent to be necessary to evaluate the impact of the discharge on the sewage works.

Section 3 Within six (6) months of the promulgation or revision of a Pretreatment Standard, all affected Users must submit to the Superintendent the information required by Paragraphs H and I of Section 2 of this Article.

Section 4 Wastewater discharges shall be expressly subject to all provisions of this Ordinance and all other applicable regulations established by the Township. The Township may:

- A. Limit the average and maximum wastewater constituents and characteristics;
- B. Limit the average and maximum rate and time of discharge or make requirements for flow regulations and equalization;
- C. Require the installation and maintenance of inspection and sampling facilities;
- D. Establish specifications for monitoring programs which may include sampling, number, types, and standards for tests and reporting schedule;
- E. Establish compliance schedules;
- F. Require submission of technical reports or discharge reports;
- G. Require the maintaining, retaining and furnishing of plant records relating to wastewater discharge as specified by the Superintendent and affording Superintendent access thereto, and copying thereof;

- H. Require notification to the Superintendent for any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
- I. Require notification of slug discharges and accidental spills;
- J. Require other conditions as deemed appropriate by the Township to ensure compliance with this Ordinance.

**Section 5** Within ninety (90) days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the sewage works, any User subject to Pretreatment Standards and Requirements shall submit to the Director a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the User facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards of Requirements are being met on a consistent basis and, if not, what additional O & M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative, the Industrial User, and certified to to by a qualified representative.

- A. Any User discharging an industrial waste, or any new industrial source discharging into the sewage works, shall submit to the Superintendent during the months of June and December, unless required more frequently in Pretreatment Standard or by the Township, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards or this Ordinance. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported in Section 4, paragraph C of this Article. At the discretion of the Director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted.
- B. The Township may also impose mass limitations on Users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases in which the imposition of mass limitations is appropriate. In such cases, the report required by Paragraph A of this Section shall also indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User.

Section 6 The Township shall, when determined necessary by the Superintendent, require to be provided and operated at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User. Whether constructed on public or private property the sampling and monitoring facilities shall be provided in accordance with plans and specifications submitted to and approved by the Township and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the Township.

Section 7 The YCUA shall inspect the facilities of any User to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the YCUA or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination, records copying or in the performance of any of their duties. The YCUA, MDNR, and EPA shall have the right to set up on the User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Township, YCUA, MDNR, and EPA will be permitted their specific responsibilities.

Section 8 Industrial Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations and as required by the Township. Any facilities required to pretreat wastewater to a level acceptable to the YCUA shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Superintendent for review, and shall be approved by the Superintendent before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Superintendent under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Superintendent prior to the User's initiation of the changes.

As required by Section 403.8 (f)(2)(vii) of the Federal Register, the Township shall annually publish in the major local newspaper a list of the Users which were significantly violating any applicable Pretreatment Requirements or Standards during the twelve previous months. The notification shall also summarize any enforcement actions taken against the User(s) during the same twelve months.

All records relating to compliance with the Pretreatment Standards shall be made available to officials of the EPA or MDNR upon request.

Section 9 Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the Superintendent that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User.

When requested by the person furnishing a report, the portion of a report which might disclose trade secrets or secret processes shall not be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the Superintendent as confidential shall not be transmitted to any governmental agency or to the general public by the Superintendent until and unless a ten (10) day notification is given to the User. Any such release of information shall be made in accordance with Section 403.14 of the Federal Register.

ARTICLE VII

BUILDING SEWERS AND CONNECTIONS

- Section 1 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
- Section 2 There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Township. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgment of the Plumbing Inspector. A permit and inspection fee for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the Township Treasurer at the time the application is filed.
- Section 3 All costs and expense incident<sup>1</sup> to the installation and connection of the building sewer shall be borne by the Owner. The Owner shall indemnify the Township and the YCUA from any loss or damage that may directly or indirectly be ~~occasioned~~ caused by the installation of the building sewer.
- Section 4 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 building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building.
- Section 5 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Plumbing Inspector, to meet all requirements of this Ordinance.
- Section 6 The size, slope, alignment, and materials of construction of a building sewer; and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Township. In the absence of the code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

Section 7 Whenever possible, the building sewer shall 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 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer or combined sewer.

Section 9 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Utilities Department or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight.

Any deviation from the prescribed procedures and materials must be approved by the Utilities Department before installation.

Section 10 The contractor installing the building sewer shall notify the Building Official when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or authorized representative.

Section 11 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 a manner satisfactory to the Township and the Utility Department.

Section 12 The Authority shall not allow any connection to the sanitary sewer unless there is sufficient capacity in the sewage works to convey and adequately treat the additional wastewater from the proposed connection.

ARTICLE VIII

DISPOSAL AT SEWAGE TREATMENT PLANT

Section 1 Waste from industrial sewage disposal systems shall be disposed of at the Sewage Treatment Plant or at any other refuse or disposal site approved by the Superintendent. No waters or wastes described in Article V, Section 4, shall be disposed of at the Sewage Treatment Plant.

ARTICLE IX

CROSS CONNECTIONS WITH THE PUBLIC WATER SUPPLY SYSTEM

- Section 1 The Township of Augusta adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Public Health being R 325.431 to R 325.440 of the Michigan Administrative Code.
- Section 2 It shall be the duty of the Augusta Township Utilities and Building Departments to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Augusta Township Utility Department and as approved by the Michigan Department of Public Health.
- Section 3 The Utility Superintendent or his representative of Augusta Township shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of Augusta Township for the purpose of inspecting the piping system or systems thereof for cross connections. On request of the owner, lesses or occupants of any property so served shall furnish to the inspector any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.
- Section 4 The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this Ordinance and by State, Township, and BOCA plumbing codes. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

W	A	T	E	R	U	N	S	A	F	E
F	O	R	D	R	I	N	K	I	N	G

- Section 5 This Ordinance does not supercede the State plumbing code and the BOCA (Township Plumbing Code), but is supplementary to them.

ARTICLE X

PROTECTION FROM DAMAGE

Section 1 It shall be unlawful for any unauthorized person to 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 or the public water supply system.

ARTICLE XI

POW AND AUTHORITIES OF INSPECTORS

Section 1 The Superintendent and other duly authorized employees of the Utility Department bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other industries, beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Section 2 While performing the necessary work on private properties referred to in Article XI, Section 1, the Superintendent or duly authorized employes of the Utilities Department shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Utility employees and the Township shall indemnify the company against loss or damage to its property by Utility employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 6.

ARTICLE XII

ALTIES

- Section 1 Any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred (500) dollars or by imprisonment for not more than ninety (90) days, or both. Each day in which any such violation shall continue shall be deemed a separate offense.
- Section 2 Any person violating any of the provisions of this Ordinance shall become liable to the Township and YCUA for any expense, loss, or damage occasioned the Township or YCUA by reason of such violation.
- Section 3 Any person who knowingly makes any false statements, representation or certification in any application, record, report plan or other document filed or required to be maintained pursuant to this Ordinance, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction, be punished by a fine of not more than five hundred (500) dollars, or by imprisonment for not more than ninety (90) days, or both.

ARTICLE XIII

SUSPENSION OF SERVICES

Section 1 The Superintendent may suspend wastewater treatment and water service when such suspension is necessary, in the opinion of the Superintendent, in order to stop an actual or threatened discharge, or eliminate any danger of contamination of the public water system which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment.

Any person notified of a suspension of the wastewater treatment service shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the Township shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the sewage works system or endangerment to any individuals. The Township shall reinstate the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the User describing the causes of the harmful contribution and the measures taken to prevent future occurrence shall be submitted to the Superintendent within fifteen (15) days of the date of occurrence.

Water service to a property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this Ordinance.

Section 2 Whenever the Superintendent finds that any User has violated or is violating this Ordinance, or any prohibition, limitation of requirements contained herein, the Superintendent may serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the Superintendent by the User.

Section 3 Any User subject to enforcement action under the provisions of this Ordinance may request a hearing before the Township within ten (10) days of receipt of notification of proposed enforcement action. A hearing is to be held by the Township concerning the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Township why the proposed enforcement action should not be taken.

**Section 4** The Superintendent may conduct the hearing and take the evidence, or may designate any officer or employee to:

- A. Issue in the name of the Township notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings or;
- B. Take the evidence.

**Section 5** At any hearing held pursuant to this Ordinance, testimony must be taken under oath, and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

**Section 6** After the Superintendent has reviewed the evidence, he may issue an order to the User responsible for the discharge directing that, following a specified time period, service will be discontinued unless adequate treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

**Section 7** The Superintendent shall also establish appropriate surcharges or fees to reimburse the Township for the additional cost of operation and maintenance of the wastewater treatment works due to the violations of this Ordinance.

**Section 8** Upon receipt of the Superintendent's order pursuant to Section 6 of said Article, an aggrieved party may appeal the the Superintendent's order to the Township Board for review and reconsideration under the following terms and conditions:

- A. Within ten (10) days from the date the Order is received from the Superintendent, the aggrieved party shall formally notify the Township Board of their intent to appeal the Superintendent's Order issued pursuant to Section 6 on a form to be provided by the Township.
- B. Within thirty (30) days from the date the Order is received, the aggrieved party shall submit to the Township Board the grounds on which the appeal is based, together with all documents, evidence, transcripts, and information in support of said party's position. In addition, the aggrieved party shall file five (5) copies of their grounds for appeal with the Township Board and serve an additional copy to the Superintendent.

- C. The Superintendent shall have thirty (30) days to respond to the aggrieved party's grounds for appeal and to submit all evidence, documents, and information in support of any order issued pursuant to Section 6 of said Article. The Superintendent shall file with the Township Board five (5) copies of his responsive pleading and shall serve an copy to the aggrieved party, or his designated agent.
- D. Within thirty (30) days of receiving the Superintendent's response to the aggrieved party's appeal, the Township Board shall meet and review all responsive pleadings pertaining to said appeal and shall issue an order affirming the Superintendent's Order, affirming the Superintendent's Order in part and reversing in part, or reversing the Superintendent's Order in full. The Township shall immediately forward a copy of its order to all interested parties of record.

**Section 9** If any person discharges sewage, industrial wastes or other wastes into the Township wastewater disposal system contrary to the provisions of this Ordinance, Federal or State Pretreatment Requirements, or any order of the Township, or contaminates the public water supply, the Township may commence an action for appropriate legal and/or equitable relief in the applicable Court of this County.

ARTICLE XIV

ENFORCEMENT

- Section 1 Charges for water service and sewage disposal services furnished to any premises shall be a lien thereon as provided in Section 21, Act 94, Public Acts of Michigan, 1933, as amended. Any such charges delinquent for six (6) months or more shall be certified by the Township Treasurer on or before September first of each year, to the Township Supervisor who shall enter the same upon the next tax roll against the premises to which such services have been rendered. Charges are deemed delinquent if not paid by the due date as set forth on the water and sewer bill. Said charges shall be collected and said liens shall be enforced in the same manner as provided for the collection of taxes assessed upon such roll and the enforcement of the lien therefore; provided, that in all cases when a tenant is responsible for the payment of any such charges and the Township Board is notified in writing, in accordance with said Public Acts, then no such charge shall become a lien against the said premises from and after the date of said notice and no further service shall be rendered such premises until a cash deposit of not less than FIFTY (\$50.00) DOLLARS shall have been made with the Township Treasurer as security for the payment of such charges.
- Section 2 The Township shall have the right to shut off its water and/or sewer service to any premises for which charges for sewer and/or water remain unpaid for a period of thirty (30) days after they are due. Charges shall be due on the date for payment set forth on the water and/or sewer bill.
- Section 3 The Township shall have the right to shut off and discontinue water supplied by the System to any premises in case any person having possession or control of the premises obstructs or interferes with any Water Inspector in his reasonable entry upon or within the premises or in case any person having possession or control of the premises violates or permits the violation of this Ordinance.
- Section 4 Water or sewer service discontinued under the provisions hereof shall not be restored until a turn-on charge of fifteen (15) dollars is paid to the Township Treasurer for each said discontinued service together with payment of all sums due and owing for delinquent sewer and water bills for rates charged hereunder, and all sums for any damage to meter and expense incurred for repair, replacement, or servicing of meters or other equipment by the Township necessitated by acts prohibited under this Ordinance.

ARTICLE XV

ADMINISTRATION

Section 1 Augusta Township will maintain and keep proper books of records and accounts, separate from all records and accounts, in which shall be made full and correct entries of all transactions relating to the System. The Township will cause an annual audit of such books of record and account for the preceding operating year to be made by a recognized independent certified public accountant, and will supply such audit report to authorized public officials on request.

Section 2 In conjunction with the audit, there shall be an annual review of the sewer and water charge system for adequacies meeting expected expenditures for the following year.

Section 3 The System shall be operated on the basis of an operating year commencing April 1 and ending March 31, the following year.

Section 4 For service and benefits furnished by the System, there shall be fire hydrant service charge, a tap fee charge, and other rates and charges which shall be established by the Township Board by resolution.

A. FIRE SERVICE LINE: The Township Board shall have the right to determine the appropriate size of the fire service line to be installed on each premises. Any charge paid for a service line shall be refunded to the person paying such charge, or the estate of the assignee of such person upon request therefore to the Township Clerk; provided that:

- (1) Such connection has not been made within one year after the date of such payment, and
- (2) Such request for refund is made within ninety (90) days after the date of such payment, and
- (3) No valid building permit then exists for the construction of any said unit, dwelling or structure upon such premises. In case of such a refund, the Township shall retain \$25.00 as a service fee to defray the cost of labor, material and administrative costs required, and shall not constitute any credit upon any charge thereafter for such premises.

- B. FIRE HYDRANT SERVICE CHARGE: For defraying the Township Utility Department's cost for labor and water use in flushing fire hydrants connected to the water system, a fire hydrant service charge of \$8.00 per year per fire hydrant shall be paid. The charge shall be paid by the premises upon which the hydrant is located if it is outside of public roadways and not within a watermain easement granted to the Township. The charge shall be paid by the Township from its General Fund if the hydrant is located in a public roadway or any said easement. Such charge shall be billed the last quarter of each year.
- C. TAP FEE CHARGE: For defraying the Township Utility Department's cost for labor and material required in connecting the water system to a Service Line and/or Fire Service Line at the property boundary, the Township Board, by resolution, shall establish a reasonable tap charge to be paid by each premises at the time of application for such connection. Such charge shall include the cost of labor and materials required to install the water meter on the premises. The tap fee charges do not apply to a Fire Service Line that services only a Fire Hydrant.
- (1) All tap fees shall be paid upon application for such connection or upon application for a building permit for the construction of any unit, dwelling or structure aforesaid; whichever application shall first occur; provided that upon application for a building permit to construct additional floor area of any said miscellaneous building, a tap fee based upon the "Table of Unit Factors" shall be applied.
  - (2) Any tap charges so paid shall be refunded to the person paying such charge, or the estate or assignee of such person, upon written request therefore to the Township ~~Board~~; provided that:
    - (a) Such connection has not been made within one year after the date of such payment, and
    - (b) Such request for refund is made within ninety (90) days after the anniversary date of such payment, and
    - (c) No valid building permit then exists for the construction of any said unit, dwelling or structure upon such premises. In case of such refund, the Township shall retain \$25.00 as a service fee to defray the cost of collection, refund and administration of such charge, and shall not constitute any credit upon any benefit charge thereafter for such premises.

- (3) All tap connections will be made at the property boundary to the premises in residential districts. In rural districts, the tap line will be taken thirty-three (33) feet from the center of the road toward the property boundary.

D. BILLING: Sewer and water bills for the rates herein charged shall represent charges for the period immediately preceding the date of rendering the bill. The bills shall be due and payable within fifteen (15) days from the date thereof, and all bills not paid when due shall be deemed delinquent and a penalty of TEN (10%) PERCENT of the amount of such billing shall be added thereto and become due and owing as a part thereof. <sup>W/C and TWP</sup> No free service shall be furnished by the System to any person, firm or corporation, public or private, or any agency or instrumentality.

NO Free Service,  
Without the Approval  
of the Township Board,  
shall be furnished →

E. REVISIONS OF RATES, CHARGES, AND FEES: The rates determined hereunder by Resolution of the Township Board are estimated to be sufficient to provide for the payment of the expenses of administration, operation and maintenance of the said System as are necessary to preserve the same in good repair and working order, and to provide a reasonable reserve for major repairs and replacements. Such rates shall be fixed and revised from time to time as may be necessary. The Township Board shall make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management of the System and, at least, annually review all rates, charges and fees provided by Resolution of the Township Board and make such revisions thereof as shall appear proper under the circumstances.

ARTICLE XVI

GENERAL PROVISIONS

- Section 1 No person, other than a person specifically authorized by the Township of Augusta, shall uncover, make any connection with or opening into, alter or disturb the System without first obtaining a written permit therefore from said Township.
- Section 2 No person shall connect or permit the connection to the System of any water supply other than the water supply of the System. No person shall turn on or off any water service between the System and any premises served by the System, excepting an Inspector or persons authorized so to do by the Township Board or a licensed plumber so doing for the testing of his work. No person shall install or remove from such premises a water meter or in any way interfere with such water meter, excepting a Water Inspector or other persons authorized so to do by the Township Board. Such water meters shall be installed by the owner, unless determined otherwise by the Superintendent and remain the property of the Township. The owner shall be responsible for any damage to the meter and appurtenances, except for normal usage. Any person who shall turn on any water service between the System and any premises served by the System for the testing of his work, as aforesaid, shall thereupon expeditiously complete such testing and thereafter promptly cause to be turned off the water service to such property.
- Section 3 It shall be the duty of each owner, each occupant, and each person having control of an inhabited building to which a sanitary sewer of the System shall become available, to connect the sewer facility to said building with the sewer of the System within three (3) months after notice of such availability is sent at the direction of the Township Board by United States mail addressed to such owner, occupant or person at the post office address of such building. After the expiration of the said three (3) month period, it shall be unlawful for such owner, occupant or person to maintain or use a septic tank, cesspool, or any other private means of disposal of sanitary sewage at or from said building. Said connection shall be made in accordance with the rules and regulations of the Township Board hereunder. It shall be the duty of such owner, occupant or person to make, build and construct such sewer connection to suitable toilet and sewer facilities of said building without cost or expense to the Township.
- Section 4 No person shall connect or permit to be connected to the System:

- A. Any fire hydrant that does not conform to the uniform specifications thereof established by Resolution of the Augusta Township Board.
- B. Any fire hydrant located outside of a public right-of-way without prior written approval of such location by the Augusta Township Fire Chief being filed with the Township Clerk.
- C. The construction and installation of all sanitary sewers and appurtenances tributary to the System, and all water mains and appurtenances distributive of the System in connection with any land development requiring site plan approval, pursuant ~~to~~ the Augusta Township Zoning Ordinance, shall be in accordance with the plans and specifications thereof included in such site plan. As a condition precedent to the issuance of a Certificate of Use and Occupancy of any structure shown in such site plan to be served by the System, the applicant for such site plan shall furnish to the Building Inspector a certificate of a qualified engineer, duly licensed by the State of Michigan certifying that said construction and installation has been completed in accordance with said plans and specifications.
- D. FIRE HYDRANT, TEMPORARY SERVICE PERMIT: No person, other than a person specifically authorized by the Superintendent of the Utilities Department, shall turn on the operating valve of any fire hydrant for water use other than fire protection without first filing an application with the Utilities Department in writing and obtaining the required permit therefore. The application shall be in such form as the Superintendent may prescribe and shall be accompanied by a cash deposit not exceeding \$1,000.00 and in an amount determined by the Superintendent to be reasonable and sufficient to defray the following costs and charges:
  - (1) For water service furnished at such fire hydrant for the period of such permit, or the period of one month whichever period is lesser.
  - (2) For the cost of installing thereat a water meter, and turn-on of such water service.
  - (3) For the cost of repair or replacement of such meter and/or fire hydrant due to damage, wear and use thereof during the period of such permit.
  - (4) For the cost of inspection of such meter ~~and~~ fire hydrant during the term of the permit.

The Superintendent shall determine the term during which the permit shall be valid and effective, not exceeding one ~~year~~<sup>month</sup>, which term shall be stated in the permit. Upon expiration of the permit period, the Superintendent shall refund to the applicant the portion of the deposit sum not applied as aforesaid.

Notwithstanding other provisions of this Ordinance, the rates for water service prescribed under this paragraph D. shall be rates prescribed by Resolution of the Township Board for water rates and charges without connection to the sewer system.

ARTICLE VIII

EVE

Section 1 The revenue of the System shall be set aside, as collected, and deposited in a separate depository account to be designated WATER SUPPLY AND SEWER SYSTEM RECEIVING FUND (hereinafter referred to as the Receiving Fund), and said revenues, so deposited, are pledged for the purpose of the following, and shall be transferred from the Receiving Fund periodically in the manner and at the time hereinafter specified.

- A. OPERATION AND MAINTENANCE FUND: Out of the revenues in the Receiving Fund there shall be first set aside, quarterly, into a separate depository account designated OPERATION AND MAINTENANCE FUND, a sum sufficient to provide for the payment of the next quarterly current expenses of the operation and maintenance of the water and sewer system, as may be necessary to preserve the same in good repair and working order.
- B. BOND AND INTEREST REDEMPTION FUND: Out of the revenues remaining in the receiving fund, there shall next be set aside a sum sufficient to provide for the payment of the principal of and the interest upon all bonds payable therefrom, as and when the same become due and payable.
- C. REPLACEMENT FUND: Out of the revenue in the Receiving Fund, there next be set aside into a separate fund designated Replacement Fund, a sum in the opinion of the Township Engineer, sufficient to repair a major break in the System.
- D. CAPITAL IMPROVEMENT FUND: After full satisfaction of the requirements of the Operation and Maintenance Fund, Bond and Interest Redemption Fund and Replacement Fund, the monies remaining in the Receiving Fund periodically shall be transferred to the Capital Improvement Fund, and used for the purpose of extending and improving the water supply and sewer system.
- E. At least semi-annually, the Township Treasurer shall report to the Township Board the balances of said funds, and cash receipts and disbursements of the System since the preceding report thereof.

ARTICLE XVIII

VALIDITY

Section 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2 The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

EFFECTIVE DATE

This Ordinance shall be published in the Ypsilanti Press within ~~thirty (30)~~ <sup>thirty-one (31)</sup> days after passage thereof and the Ordinance shall take effect thirty-one days thereafter.

THIS THE 17<sup>th</sup> DAY OF APRIL, 198~~9~~

Robert G. Pascoe  
AUGUSTA TOWNSHIP SUPERVISOR

Joanne L. Ladd  
AUGUSTA TOWNSHIP CLERK

Appendix A

TABLE OF UNIT FACTOR

<u>TYPE OF USE</u>	<u>DWELLING USE FACTOR (UNITS)</u>
Single Family Residence	1.00 unit per resident
Adult Care Home	1.00 unit + 0.25 unit per bed
Auto Dealers	1.00 unit + 0.20 per thousand sq. feet
Auto Repair Shop	0.30 unit per stall
Bank	1.00 unit
Bar - See Restaurants	
Barber Shops	1.00 unit (including one chair) + 0.50 unit per additional chair
Beauty Shops	1.00 unit (including one booth or chair) + 0.50 unit per additional booth or chair
Beauty Shops with single-family residence (same dwelling)	1.00 unit + 0.50 unit per chair
Boarding House	0.20 unit per bed
Boarding School	0.20 unit per bed
Bowling Alleys	0.20 unit per thousand sq. feet (bars, restaurants, etc. at their respective factor)
Car Wash, do-it-yourself (Coin operated, 10 gallons or less per car)	1.00 unit per stall
Car Wash - Conventional (with conveyor)	10.00 unit

Child Care Center	0.50 unit per 1000 sq. ft.
Churches (without kitchen)	1.00 unit
(with kitchen)	1.50 unit
Cleaners	1.00 unit per thousand sq. ft. + 1.50 units per press
Clinics	1.00 unit + 0.65 unit per doctor
Convalescent Homes	1.00 unit + 0.50 unit per bed
Convents	0.20 units per bed
Country Clubs	1.50 units per thousand sq. ft. of general building area, plus restaurant, bar, swimming pool areas, etc. at their respective unit factors
Drug Stores with fountain service	1.00 unit per thousand sq. ft.
Factories (exclusive of industrial waste)	0.75 unit per thousand sq. ft. (industrial wastes will be assigned such sanitary use factor units as shall be appropriate in each individual instance, upon petition to the Township for such assignment)
Fraternal Organizations	0.50 unit per thousand sq. ft. of general building area plus restaurant, bar, swimming pool area, etc. at their respective unit factors
Greenhouses	0.15 unit per thousand sq. ft.
Grocery Stores and Supermarkets	0.80 unit per thousand sq. ft.
Hospitals	1.00 unit + 0.50 unit per bed
Hotels and Motels	1.00 unit + 0.25 unit per bedroom plus restaurant, bar, swimming pool area, etc. at their respective unit factors
Laundry (self-service)	0.50 unit per washer
Mobile Home Park	1.00 unit per space occupied or unoccupied

Multiple family residence	
one (1) bedroom	0.50 unit per unit
two or more bedrooms	1.00 unit per unit
Office Building	0.75 unit per thousand sq. ft.
Public Institutions other than Hospital	0.75 unit per thousand sq. ft.
Restaurants or bars (Dinners and/or drinks)	0.13 unit per chair or stool
Auxiliary dining room (Open not more than 20 hours per week)	2.00 unit per thousand sq. ft.
Schools	1.50 unit per classroom
Service Stations	1.00 unit + 0.15 unit per pump
Snack bars, drive-ins, etc.	4.00 unit per thousand sq. ft.
Sports Center	0.2 unit per thousand sq. ft.
Stores (other than specifically listed)	0.35 unit per thousand sq. ft.
Swimming Pool (net area of pool - See Country Clubs for building unit)	3.00 unit per thousand sq. ft.
Theaters	1.00 unit + 0. <sup>1</sup> / <sub>01</sub> unit per seat
Theater Drive-In	1.00 unit + 0. <sup>2</sup> / <sub>02</sub> unit per car space
Veterinary Clinic	2.0 unit per veterinarian
Warehouses	0.15 unit per thousand sq. ft.
<del>Greenhouses</del>	<del>0.15 unit per thousand sq. ft.</del>

Under no circumstances shall a connection be deemed to constitute less than one equivalent household unit for purposes of this Ordinance.