

**VILLAGE OF OTISVILLE  
GENESEE COUNTY, MICHIGAN  
ORDINANCE NO. 210**

**SEWER SYSTEM ORDINANCE**

AN ORDINANCE TO PROVIDE FOR THE CONNECTION OF STRUCTURES TO THE SANITARY SEWER SYSTEM OF THE VILLAGE OF OTISVILLE TO PROVIDE FOR THE IMPOSITION, COLLECTION AND ENFORCEMENT OF CHARGES FOR SEWAGE DISPOSAL SERVICES THEREFROM: TO REGULATE THE OPERATION THEREOF: TO ESTABLISH CERTAIN REQUIREMENTS FOR THE APPROVAL OF PLATS: AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO SAID SYSTEM AND TO THE USE THEREOF.

THE VILLAGE OF OTISVILLE ORDAINS:

**ARTICLE 1. DEFINITIONS**

Whenever used in this ordinance, except when otherwise indicated by context:

- (1) The term "VILLAGE" shall be construed to mean the Village of Otisville, Genesee County, Michigan.
- (2) The term "COUNCIL" shall be construed to mean the Council of said Village of Otisville the legislative and governing body thereof.
- (3) The term "SYSTEM" shall be construed to mean the sanitary sewer system of the Village.
- (4) The term "SEWAGE DISPOSAL SERVICES" shall be deemed to refer to the collections, transportation, treatment and disposal of sanitary sewage emanating from properties now or hereafter connected directly or indirectly to the system.
- (5) The term "CHARGES FOR SEWAGE COLLECTION AND DISPOSAL SERVICES" or "CHARGES" shall be deemed to mean the amount charged to each structure in the Village for sewage collection and disposal services.
- (6) The term "SEWER CONNECTION CHARGE" shall be deemed to mean the amount charged to each applicant by the Village at the time an application is made to the Village to connect said structure to the system to cover the cost of inspecting and approving the physical connection to the system and issuance of a connection permit.
- (7) The term "QUARTER" shall be deemed to be a consecutive three month period and shall coincide with the water billing period for the structures if furnished water by a public supply.

- (8) The term “UNIT” with respect to charges for a particular structure shall be deemed to be the equivalent of a household. Unless otherwise provided, the number of units assigned to a particular structure shall be as provided in this Ordinances, or as established by resolution of the council.
- (9) “COUNTY” shall mean the County of Genesee, Michigan.
- (10) “USER” shall mean any structure connected to a public sewer and includes appurtenant land and improvements.
- (11) “COUNTY AGENCY” shall mean the Genesee County Drain Commissioner.
- (12) “B.O.D.” (denoting Biochemical Oxygen Demand) shall mean the quality of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees C, expressed in milligrams per liter.
- (13) “BUILDING DRAIN” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil and waste pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside of the inner face of the building wall.
- (14) “BUILDING SEWER” shall mean the extension from the building drain to the public sewer or other place of disposal.
- (15) “GARBAGE” shall mean solid waste from the domestic and commercial preparation, cooking and dispensing of food and the handling, storage and sale of produce.
- (16) “INDUSTRIAL WASTE” shall mean the liquid waste from Industrial, manufacturing processes, trade or business as distinct from sanitary sewage.
- (17) “NATURAL OUTLET” shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- (18) “PERSON” shall mean any individual, firm, company, association, society, corporation or group, public or private.
- (19) “PH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- (20) “PROPERLY SHREDDED GARBAGE” shall mean waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in sewers and no particle greater than ½ inch in any dimension.
- (21) “SANITARY SEWER” shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

- (22) “SEWAGE” shall mean a combination of the water-carried waste from residences, business buildings, institutions and industrial establishments.
- (23) “SEWAGE TREATMENT PLANT” shall mean any arrangement of devices and structures used for treating sewage.
- (24) “SEWAGE WORKS” shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- (25) “SEWER” shall mean a pipe or conduit for carrying sewage.
- (26) “STORM DRAIN” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface water and drainage, but excludes sewage and industrial waste, other than unpolluted cooling water.
- (27) “SHALL” is mandatory; “MAY” is permissive.
- (28) “SUSPENDED SOLIDS” shall mean solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.
- (29) “WATERCOURSE” shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- (30) “PROPERTY” shall mean a plotted or unplotted parcel of ground within the Village of Otisville.
- (31) “STRUCTURE” shall mean a building which is occupied, or may be occupied, which has water which is used or available for use other than a residential garage or residential storage building.
- (32) “PREMISES” shall mean each lot, parcel of land, or building having a connection to the Sanitary Sewer System of the Village, or is eligible for such a connection.
- (33) “DWELLING” shall Mean a building or place of shelter to live in; place of residence; abode; home.
- (34) “DWELLING UNIT” shall mean one (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling such as an apartment.
- (35) “BUSINESS UNIT” shall mean individual businesses located within a structure or on a premises that has been divided into multiple suites or sections capable of housing more than one (1) business.

- (36) "UNIT CHARGE" shall mean a charge that is in addition to a Readiness To Serve Charge and is based on the number of business and dwelling units located on a premises.

## **ARTICLE 2. SEWERS AND CONNECTIONS**

### **SECTION 1. PERMITS TO CONSTRUCT SEWERS**

No person shall connect any sewer or system of sewers to any Village sewer without first obtaining a permit from the Village and no other person shall connect any sewer or system of sewers to any Village sewer without first obtaining written approval therefore from the Village. Each such connection permit shall show the location and extent of the work, information regarding the owner, the contractor and the engineer, and any other pertinent information as shall be determined necessary.

### **SECTION 2. TESTING FOR INFILTRATION OF GROUND WATER**

A test for water infiltration and air pressure testing into such sewer or system of sewers shall be performed by the owner or contractor, after completion thereof, in accordance with the procedures established by the Village. When such party has determined that the sewer or system meets the following requirements for maximum infiltration and air pressure testing, then he shall arrange for the results of such test to be verified by Village. Ground water infiltration at any time shall not exceed 250 US Gallons per inch of pipe diameter per mile of sewer per 24 hour period. Air pressure testing limits shall be as found in Genesee County Standard Specifications. It shall be the responsibility of the Village or other party constructing the sewer or system to make whatever corrections may be necessary to the same to meet the infiltration requirements prior to using the Village sewers to which connection is made. If, in the opinion of the Village, ground water conditions at the time of the test would not provide a conclusive test of the extent of infiltration, then an exfiltration test shall be required. If an exfiltration test is determined to be necessary, the maximum exfiltration rate shall be the same as that permitted for infiltration.

## **ARTICLE 3. BUILDING SEWERS AND CONNECTIONS**

### **SECTION 1. PERMITS TO CONNECT TO BUILDING SEWER**

No building sewer shall be directly connected to any sanitary sewer by any person without first obtaining a permit therefor from the Village. The party to whom such permits are issued shall be responsible for notifying the Village at least 24 hours in advance on the date and time when such a connection is to be made so that proper inspection of same can be made.

### **SECTION 2. APPROVED MATERIALS FOR BUILDING SEWERS**

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

- (a) 4” or 6” diameter C-200 vitrified sewer pipe with Tylox (Type B) wedglock (Types 2 & 3) or amvit joints or other County Agency approved joints or
- (b) 4” or 6” diameter Class 2400 Asbestos Cement Pipe with ringtite or Village approved joint, or
- (c) 4” or 6” diameter service strength, cast iron soil pipe with hot poured lead joint, or approved equal. All joints shall be tight and when tested for infiltration, shall not exceed 250 US Gallons per inch of diameter, per mile, per 24 hours. All sewer lines within fifty (50) feet of a private well and seventy-five (75) feet of a semipublic well shall be cast iron soil pipe with hot poured lead joints or approved equal.
- (d) 4” or 6” PVC (Polyvinyl Chloride), meeting the standards CS272 and ASTM 2665 and listed with the National Sanitation Foundation with wall thickness not less than Schedule 40. Only approved solvent cements, fittings and transistions shall be used. The pipe shall bear the “hall mark” nst-DWV.
- (e) The transition joints shall be sealed by an approved adopter and encased in concrete to provide a watertight seal. The building sewer inside the building shall be plugged and remain plugged and watertight until such time as the plumbing is carried on to the first floor, the basement back filled and roof is on the building, thereby providing that no water from the excavated basement will enter the sanitary sewer.

### SECTION 3. REQUIREMENTS FOR MAKING SEWER CONNECTIONS

No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof, without being licenses to do such work by the Village as hereinafter stated in Section 2. Article 8, General Provisions and without first obtaining a written permit from the Village.

### SECTION 4. OBLIGATION OF OWNER

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

### SECTION 5. ONE BUILDING/ONE SEWER

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

### SECTION 6. INSTALLATION SPECIFICATIONS

The size, slope alignment, material of construction of a building sewer, and the methods to be used in excavating, placing of pipe, jointing, testing and back filling the trench, shall all conform to the regulations and standard specifications of the State of Michigan and the Village.

## SECTION 7. BUILDING SEWER ELEVATIONS

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

## SECTION 8. PROTECTION FROM HAZARDOUS CONDITIONS

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

### **ARTICLE 4. DISCHARGE INTO SEWERS**

#### SECTION 1. DISCHARGING OF CLEAN WATER TO SEWERS

No person shall connect or cause to be connected any down spouts, foundation drains, yard drains, areaway drains, catch basins, weep tile, perimeter drains or other sources of storm runoff or ground water to any public sewers or to any building sewer or drain which is connected to a public sewer nor shall any person discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process water into any public sewer or into any building sewer or drain which is connected to a public sewer.

#### SECTION 2. ALTERNATIVE METHODS FOR DISCHARGING CLEAN WATER

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

#### SECTION 3. MATERIALS NOT ALLOWED FOR DISCHARGE

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

- (a) Any gasoline, Benzene, naphtha fuel oil or other flammable or explosive liquid, solid or gas.
- (b) Any waters or waste containing toxic or poisonous solids, liquids or gases in sufficient quantity (either singly or by interaction with other waste) to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create and hazard in the receiving waters of the sewage treatment plant (including but not limited to cyanides in excess of 2 mg/1 as CN in the waste as discharged to the public sewer).

- (c) Any waters or waste having a pH lower than (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but no limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair, fleshlings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

#### SECTION 4. MATERIALS THAT HARM THE SYSTEM

No person shall discharge or cause to be discharged the following described substances, materials, waters or waste if it appears likely in the opinion of the Village that such waste can harm either the sewers, sewage treatment process or equipment, have any adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance.

- (a) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).
- (b) Any water or waste containing fat, wax, grease or oils, whether emulsified or not, in excess of 100 mg./1; or containing substances which may solidify or become viscous at air temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage shredder equipped with a motor of ¼ horsepower or greater shall be subject to the review and approval of the Village.
- (d) Any waters or waste containing strong acid iron pickling waste or concentrated plating solutions whether neutralized or not.
- (e) Any waters or waste containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or waste exerting excessive chlorine requirement, to such degree that any such material received in the composite sewage at the treatment works exceeds the limits established by the Village for such materials.
- (f) Any waters, or waste, containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Village as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies for such discharge to the receiving waters.
- (g) Any radioactive waste or isotopes of such half life or concentrations as may exceed limits established by the Village in compliance with applicable State or Federal regulations.
- (h) Any waste or waters having a pH in excess of 9.5

- (i) Materials that exert or cause:
  - (1) Unusual concentrations of inert suspended solids (such as but limited to Fuller's Earth, lime slurries and lime residues) or of dissolved solids (such as but not limited to sodium chloride and sodium sulfate).
  - (2) Excess discoloration (such as but not limited to dye waste, vegetable tanning solutions).
  - (3) Unusual B.O.D. chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- (j) Waters or waste containing substances which are not amenable to treatment or reduction by the sewage treatment only to such degree that the sewage plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

#### SECTION 5. REGULATION OF HAZARDOUS MATERIALS

If any waters or waste are discharged or are proposed to be discharged to the public sewers, which contain the substance of possess the characteristics enumerated in Section 4 of the Article and which in the judgment of the Village may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Village may:

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

If the Village permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Village.

#### SECTION 6. MONITORING OF INDUSTRIAL WASTE

When required by the Village, the owner of any property serviced by building sewers carrying industrial waste shall install a suitable control manhole together with necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the waste. Such a manhole when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Village. The manhole shall be installed by



the owner at his expense and shall be maintained by him, so as to be safe and accessible at all times.

#### SECTION 7. METHODS FOR MONITORING INDUSTRIAL WASTE

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

#### SECTION 8. ADDITIONAL CLARIFICATION OF THE ARTICLE

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

### **ARTICLE 5. INSPECTION AND PROTECTION OF SEWERS**

#### SECTION 1. THE RIGHT TO INSPECT AND ENTER UPON PROPERTIES

The Village Department of public Works and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing.

#### SECTION 2. OWNER HELD HARMLESS FOR ACCIDENTS

While performing the necessary work on private properties referred to in Article 5., Section 1. above, the duly authorized employee of the Village, shall observe all safety rules applicable to the property established by the owner or proprietor, who shall be held harmless for injury or death to such employees and the Village shall indemnify such owner or proprietor against loss or damage to his property by such employees and against claims and demand for personal injury or property damage asserted against such owner or proprietor and growing out of the gauging and sampling operation, except as such as may be caused by negligence or failure of such owner or proprietor to maintain safe conditions as required in Article 4, Section 6.

#### SECTION 3. DESTRUCTION OF THE SYSTEM

No unauthorized persons shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the Village system.

## **ARTICLE 6. SEWER CONNECTION CHARGE**

### **SECTION 1. GENERAL**

Each user whose structures are hereafter connected directly to a village sanitary sewer shall pay the Village's sewer connection charge as set by a resolution of the Village Council. The resolution setting the charges for the next fiscal year shall be made before the beginning of the next fiscal year, after presentation of a budget. The resolution shall become effective only after a public hearing on such proposed charges, and based on the Table of Unit Factors shown in the Attached Exhibit "A". In any event every connection shall be charged on the basis of at least one unit.

### **SECTION 2. HOME OCCUPATIONS**

- (2.1) Each user whose structure are hereafter connected directly to a Village sanitary sewer shall pay the Village sewer connection charge as provided in this article and based on the Table of Unit Factors shown in the Attached "Exhibit A".
- (2.2) Should a person engage in a home occupation, described as follows, they will not be charged an additional unit unless the business is specified on the "Table of Unit Factors", as adopted by the Village Council.
  - a. No person other than the members of the family residing on the property shall be engaged in such occupation.
  - b. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling shall be used for the purpose of the home occupation, and shall be carried out completely within such dwelling.
  - c. There shall be no change in the outside appearance of the structure or property, or other visible evidence of the conduct of such home occupation other than one (1) sign not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the dwelling, with no other public advertising.
  - d. No home occupation shall be conducted in any accessory structure other than a residential garage.
  - e. There shall be no sale of any goods manufactured elsewhere in connection with such home occupation.
  - f. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be provided for by off-street parking area, located other than in a required front yard.

- g. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference with any radio or television receivers off the property, or causes fluctuations in line voltage off the property.

## **ARTICLE 7. SEWAGE TREATMENT CHARGES**

### **SECTION 1. GENERAL**

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

### **SECTION 2. CHARGES BASED ON WATER CONSUMPTION**

Where the structures are served by water which is metered, the monthly charge shall be based upon water consumption. Charges for sewer service to each structure shall be set by a resolution of the Village Council. The resolution setting the sewer service rates for the next fiscal year shall be made before the beginning of the fiscal year, after presentation of a budget. The resolution shall become effective only after a public hearing on such proposed rates.

#### **(2.1) MOBILE HOME PARKS**

Where the structures in mobile home parks are not served by water which is metered, the monthly charge shall be by unit and shall be charged on the basis of actual flows that are metered before entering the Village sewer system.

### **SECTION 3. MONTHLY CHARGES BY UNIT**

Where the structure is not served by water which is metered, the monthly charge shall be by unit.

- (3.1) Annual Review of Rates and Fees. Charges for connection fees, inspection fees and all other charges other than the ready to serve charge, unit charge and cost of water shall be set by a resolution of the Village Council. The resolution setting the charges for the next fiscal year shall be made before the beginning of the next fiscal year, after presentation of a budget. The resolution shall become effective only after a public hearing on such proposed charges.
- (3.2) Readiness To Serve Charge. Those premises that are either connected to a System main or are eligible for such a connection pursuant to Article 8., Section 1. of this Ordinance, shall pay a monthly Readiness To Serve Charge (RTSC) whether or not water is used. The purpose of the Ready to Serve charge is to assign a fixed cost on a per customer basis.

This fixed cost includes debt, administration, wages and benefits, contractual services, repairs and maintenance, supplies, and office expenses. Owners of property benefited by or using public sewer facilities shall pay the following charges for such benefit or use:

(3.3) Unit Charge. In addition to a Readiness To Serve Charge, premises on which dwelling units and / or business units exist shall pay a unit charge for the second unit and all units thereafter whether or not water is used. Owners of property benefited by or using public Sewer facilities shall pay the following charges for such benefit or use:

METERED CUSTOMERS		NON-METERED CUSTOMERS
Readiness To Serve Charge For The 1st Unit	Dwelling & Business Unit Charge 2nd Unit & all Units Thereafter	Readiness To Serve Charge
\$13.29 / Month	\$11.36 Per Unit / Month	\$22.74 Per Unit / Month

(3.4) Exemption From Charges & Vacant Units. Any premises on which a dwelling or business has been totally demolished shall be exempt from charges until such time that a new dwelling or business has been constructed on the lot.

(3.5) In the event that a property owner no longer wishes to continue renting an apartment or apartments that are located on his premises, the vacant apartment (s) may be exempt from Dwelling Unit Charges after the property owner submits letters to both the village clerk and the village zoning administrator stating the following:

- a. The number of apartments and their addresses that will no longer be rented.
- b. A detailed description of the proposed use of the vacant apartments. Example: converting a two or three unit apartment dwelling into a single family dwelling.
- c. An acknowledgment by the property owner that he/she is aware that reestablishing any apartments in the future may require prior approval of the Village Planning Commission and comply with the terms of the village Zoning Ordinance, the State Building Code, and other applicable laws.

No exemption from charges shall be granted until the Village Zoning Administrator issues a zoning permit authorizing the proposed changes to the dwelling unit (s).

(3.6) In all other instances any premises on which there exist a structure having dwelling or business units, each unit shall pay a monthly charge regardless of whether or not the unit is occupied.

(3.7) Funding for System Replacement & Improvements: The annual operating budget for the system shall provide for the transfer of funds to the sewer "Replacement Fund". The minimum amount transferred shall equal five (5) percent of the gross revenues derived from the Charges for Services for that fiscal year.

(3.8) Yearly Increases. If a yearly increase is needed, a recommendation will be submitted by the Sewer & Water Committee that the Readiness to Serve Charge, Unit Charge and Cost of Water (or Sewer respectively) on the First day of July of each year by a rate of not more than five (5) percent. Of this amount, Twenty-Five (25) percent of the increase shall be deposited in the Operation and Maintenance Fund and Seventy-Five (75) percent shall be deposited in the Replacement Fund. If the council deems necessary to increase rates in excess of Five (5) percent a public hearing shall be conducted.

(3.9) Cost of Water Consumed. At the time of the adoption of this ordinance, the charge for every cubic foot of water consumed shall be \$.0284 per cubic foot or \$2.84 per 100 cubic feet. The per cubic foot charge is made up of direct cost of Sewage pumpage, treatment, debt principal & interest, and expected capital outlay for upgrades, improvements and maintenance of the village's water system.

#### SECTION 4. - 1% PENALTY ON DELINQUENT CHARGES

The foregoing charges shall be billed and collected monthly or quarterly as the Village Council shall determine. Such charges shall become due on the 15th day of the month following the end of each billing period and if such charges are not paid on or before that date, then a penalty of 10% shall be added thereto. Commencing 60 days after the due date, a penalty of 1% of the delinquent charges shall be added each month until such charges are transferred to the tax roll as provided in Article 7, Section 5 of this Ordinance.

#### SECTION 5. PLACING DELINQUENT PAYMENTS ON TAX ROLL

The foregoing charges, including penalties, payable for sewage disposal and treatment service to any structure shall be a lien on such property on May 1st of each year, the person or agency charged with the collection of such charges shall certify to the Village Treasurer any charges which have been delinquent for Six (6) months or more, who shall enter the same upon the next tax roll against such property.

### ARTICLE 8. GENERAL PROVISIONS

#### SECTION 1. MANDATORY CONNECTION TO PUBLIC SEWERS

All properties in the Village upon which there exists presently or at any time hereafter, a building or structure in which water is used or is available for use, unless such building is an unattached residential garage or residential storage building, shall be connected to a public sewer if such public sewer is available to such property. Such connections shall be made, in the case of properties upon which such a building or structure presently exist, within six (6) months after the effective date of this ordinance or the date when the public sewer becomes available to such property, whichever is the later date, however, such connection of unoccupied buildings shall not be required if the tap in fee is paid with regard to such structure and that portion of the monthly sewer billing which relates to a Ready To Serve Charge is also paid as it becomes due. Such connections shall be made, in the case of future improvement of the structure so as to require connection to a public sewer as above provided to occupancy or use of the building or structure.

No plat of a new subdivision shall hereafter be approved unless the developer or sub divider shall agree to install in such subdivision, at his own expense, an approved system, of lateral sewers and to connect the same to a public sewer.

(1.1) Availability of a Public Sewer

A public sewer shall be deemed to be available to any property if it is located in a right-of-way, easement, highway, street or public way which crosses, adjoins or abuts upon the property and which right-of-way, easement, highway, street or public way passes not more than 200 feet distant from the property in which water is used or is available for use.

SECTION 2. LICENSING AND BONDING REQUIREMENTS

No person shall perform the work of making house connections or building sewer connections unless he shall be a State of Michigan licensed contractor and unless he shall post a bond in the sum of \$3,000.00 with sureties approved by the Village Council. This requirement shall in no way limit an owner from doing his own sewer connection work.

SECTION 3. NO EXEMPTION FOR PAYMENT

No structures, public or private, shall be exempt from payment of the connection charges and sewage disposal and treatment charges herein before established. The Village shall pay all such charges with respect to the Village property connected to public sewers.

SECTION 4. DEMOLITION OF BUILDINGS & CAPPING OF SEWERS

- (4.1) Whenever any building which is connected to a public sewer is demolished, the owner of the property on which the building is located shall cause the building sewer connection to the public sewer to be capped.
- (4.2) The owner of the property shall make application with the Village for a permit to sever the connections and shall pay a permit and inspection fee in an amount set by a resolution of the village council.
- (4.3) The location at which the sewer is to be capped and the manner in which the sewer is capped shall be determined by the building inspector or the Village, who shall make his determination on the basis of the following:
  - (a) The effectiveness of the capping so as to eliminate ground water from entering the public sewer.
  - (b) Minimum disturbance of the ground level of the property.
  - (c) The convenience of being able to reconnect the building to the public sewer.
  - (d) The cost involved in capping the connection.

- (4.4) The owner of the property shall file with the Village a complete drawing showing the exact location of the building sewer and the point on the building sewer where the sewer line is capped.
- (4.5) Whenever the owner of property which has had its building sewer capped desires to reconnect the property to the public sewer, the owner shall make application with the Village for a permit to reconnect the sewer and shall pay a permit and inspection fee in an amount set by a resolution of the village council.
- (4.6) The connection of the sewer line shall be made under the direction of the Building Inspector of the Village in a manner to prohibit ground water from entering the public sewer.

#### SECTION 5. REPLACEMENT FUND

Out of revenues in the sewer fund, there shall be set aside in a fund to be designated "Replacement Fund". These sums shall build up a reserve for any replacement or improvements to the System that may become necessary from time to time.

#### SECTION 6. PENALTIES AND ENFORCEMENT

Any person, firm or corporations convicted of disposing of sewage in a manner contrary to the provisions of this ordinance shall be guilty of a misdemeanor. The penalty for a misdemeanor violation shall be a fine not exceeding \$100.00, plus costs of prosecution, or imprisonment not exceeding 90 days, or both. Costs shall include all expenses, direct and indirect, to which the Village has been put in connection with the misdemeanor violation, including the cost of prosecution.

#### SECTION 7. SEVERABILITY

If any section, paragraph, sentence, clause or phrase of this ordinance shall be held invalid, the same shall not effect any other part of this ordinance.

#### SECTION 8. ORDINANCES TO BE REPEALED

Ordinances No. 146 previously adopted by the Village Council is hereby repealed in its entireties and any and all other ordinances and resolutions and portions thereof which may be in conflict herewith are repealed.

#### SECTION 9. DATE OF EFFECT

This Ordinance shall take effect ten (10) days after publication as set forth below.

SECTION 10. PUBLICATION

This ordinance was approved by a vote of the Village Council, a quorum being present on the 4th day of April, 2010, and ordered published in five (5) public places in the Village of Otisville.

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Andrea M. Barden, Village Clerk

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Tom Bess Jr., Village President

“EXHIBIT A”

TABLE OF UNIT FACTORS

USAGE	UNIT FACTOR
Auto Dealers	.40 per 1,000 sq. ft.
Barber Shops	.08 per chair
Bars	.06 per seat
Beauty Shops	.30 per booth
Boarding Houses	.20 per person
Boarding Schools	.35 per person
Bowling Alleys (No bar or lunch facility)	.20 per alley
Car Wash	10.00 single production line
Car Wash (hand wand type)	1.50 per bay
Churches	.01 per seat
Cleaners (pick up only)	.06 per employee
Cleaners (pressing facility)	1.25 per press
Clinics (min. assignment 1 unit per profession)	.65 per doctor



Convalescent Homes	.30 per bed
Convents	.25 per person
Country Clubs	.10 per member
Drug Store (with fountain service)	.10 per seat
Factories (exclusive of excessive industrial use)	.50 per 1,000 sq. ft.
Fraternal Organizations (members only)	1.25 per hall
Fraternal Organizations (members & rentals)	2.50 per hall
Funeral Home	1.00 per 100 funerals/year
Grocery Stores & Supermarkets	1.10 per 1,000 sq. ft.
Hospitals	1.40 per bed
Hotels (private bath/2 person rm.)	.25 per bed
Laundry (self service)	.50 per washer
Motels	.25 per bed
Multiple Family Residence	1.00 per unit
Office Building	.60 per 1,000 sq. ft.
Public Institution (other than hospitals)	.40 per employee
Restaurant (dinner and/or drinks)	.16 per seat
Rooming Houses (no meals)	.167 per person
Schools (cafeteria/no showers or pool)	1.5 per class room
Schools (shower/and or pool)	2.0 per class room
Schools (showers, gym, cafeteria)	2.5 per class room
Service Stations	.30 per pump
Snack bars, Drive-ins	.10 per seat/and or stall
Store (other than specifically listed)	.20 per employee
Swimming pool	3.50 per 1,000 sq. ft.
Theaters (drive ins)	.01 per car space
Theaters (inside with air condo.)	.0001 x wkly hrs of operation x seat
Tourist Courts (individual baths)	.27 per cubical
Trailer Parks (Central bath house)	.35 per trailer
Trailer Parks (Individual baths)	1.00 per unit
Trailer Parks (Individual baths - seasonal only)	.50 per unit
Warehouses	.10 per 1,000 sq. ft.

All other unit factor classifications will be the same as determined by the Genesee County Water and Waste Division, Genesee County Drain Commissioner's Office.

