

VILLAGE OF OTISVILLE
SEWER ORDINANCE
Ordinance No. 146

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 the 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 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 the Ordinances governing the Genesee County Sewage Disposal District No. 4 where not provided for in said Ordinance, as established by resolution on 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 quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 10 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 a 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 SHREDED 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 sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- (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 any 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.

ARTICLE 2. SEWERS AND CONNECTIONS

SECTION 1: PERMITS TO CONSTRUCT SEWERS

Neither the Village nor any other person shall connect any sewer or system of sewers to any County sewage, or to any Village sewer which is connected directly or indirectly to any County sewer without first obtaining a permit therefore from the County and no other person, other than the Village shall connect any sewer or system of sewers to any County sewer or to any Village sewer without first obtaining written approval therefore from the Village. Each 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. The County permit shall be obtained from the office of the County Agency at G-4610 Beecher Road, Flint, Michigan, for which a fee of \$200.00 will be charged by the County (except where the connection is made as part of a sewer construction program of the Village) to cover the cost of inspection of the connection and to verify the result of the infiltration test.

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 County Agency. 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 County Agency. Ground water infiltration at any time shall not exceed 250 U. S. Gallons per inch of pipe diameter per mile of sewer per 24-hour period. Air pressure testing limits shall be as found in 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 County sewers or the Village sewers to which connection is made. If, in the opinion of the County Agency, 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 therefore 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:

- (1) 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
- (2) 4" or 6" diameter Class 2400 Asbestos Cement Pipe with ringtite or County Agency approved joint, or
- (3) 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 U. S. 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 semi-public well shall be cast iron soil pipe with hot poured lead joints or approved equal.
- (4) 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 transitions shall be used. The pipe shall bear the "hall mark" nst-DWV.
- (5) The transition joints shall be sealed by an approved adopted 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 onto the first floor, the basement backfilled and roof is on the building, thereby providing that no water from the excavated basement will enter the sanitary sewer.

SECTION 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 B, 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 County or 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 backfilling the trench, shall all conform to the regulations and standard specifications of the County and other applicable rules and regulations of the State of Michigan 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 County and 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 downspouts, 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:

- (1) Any gasoline, Benzene, Naptha fuel oil or other flammable or explosive liquid, solid or gas.
- (2) 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).
- (3) 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.

- (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but not limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair, fleshlings, entrails and paper dished, 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 County Agency or 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.

- (1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).
- (2) Any water or waste containing fats, 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.
- (3) 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 County Agency and the Village.
- (4) Any waters or waste containing strong acid iron pickling waste or concentrated plating solutions whether neutralized or not.
- (5) 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 County Agency or the Village for such materials.
- (6) Any waters or waste, containing phenols or other taste or odor producing substances, in such concentration exceeding limits which may be established by the County Agency 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.

- (7) Any radioactive waste or isotopes of such half-life or concentration as may exceed limits established by the County Agency in compliance with applicable State and Federal regulations.
- (8) Any waste or waters having a pH in excess of 9.5.
- (9) Materials that exert or cause:
 - (a) 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 solidum chloride and sodium sulfate).
 - (b) Excess discoloration (such as but not limited to dye waste, vegetable tanning solutions).
 - (c) Unusual B.O.D. chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- (10) 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 or possess the characteristics enumerated in Section 4 of this Article and which in the judgement of the County Agency or 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 County Agency may:

- (a) Reject the waste
- (b) Require pre-treatment to an acceptable condition for discharge to the public sewers.
- (c) Require control over the quantities and rates of discharge.

- (d) Require payment to cover the added costs of handling and treating the waste not covered by existing taxes and sewer charges.

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

SECTION 6: MONITORING OF INDUSTRIAL WASTE

When required by the County Agency or 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 County Agency. 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 County and the Village and any industrial waste of unusual strength or character may be accepted by the County 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 County Agency and other duly authorized employees of the County Agency or 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 County or 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 County or 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 gaging 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 part of the County or 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 provided in this Article and based on the Table of Unit Factors shown in the Attached Exhibit A.

SECTION 2: CONNECTION CHARGES:

(2.1) CHARGES TO DEVELOPERS AND SUB-DIVIDERS:

Where the structures are connected directly to a sewer or sewer extension installed solely at the expense of the owner or solely by special assessment or solely at the expense of a subdivider or developer, the sewer connection charge from the time this ordinance is passed shall be \$3,500.00 per unit.

(2.2) CONNECTIONS TO EXISTING PUBLIC SEWERS:

In all other cases the sewer connection charge from the time this ordinance passes shall be \$5,260.00 tap in charge per unit for the first unit per connection and an additional \$4,500.00 for the second unit or fraction

thereof within the same connection.

(2.3) NON-RESIDENTIAL RESERVE:

In order to achieve a balanced growth in with the Village, 10 percent of all units available as of May 27, 1993, 6 units, and 10 percent of all future units shall be reserved for non-residential purposes and hereby designated for use by sales, service, or manufacturing businesses on a first come, first served basis.

(2.4) In any event every connection shall be charged on the basis of at least one unit.

(2.5) In addition to the charges listed above, there shall be a \$15.00 inspection fee for each connection to the sewer.

SECTION 3: ORIGINAL FINANCING FOR CUSTOMERS

The foregoing connection charges shall be paid in cash when the connection permit is issued by the Village, if issued after June 14, 1983. If issued on or before June 14, 1983, the user shall have the option of paying installments as follows: 10% of the connection charge shall be paid when the permit is issued by the Village and the balance shall be paid either in equal annual installments or in 216 equal monthly installments together with interest at 7% per annum on the declining balance from the date when the connection permit is issued. On annual payments the first installment and accrued interest shall be billed on the next September 1st which is more than (3) months after the date when the connection permit is issued and subsequent installments with accrued interest shall be billed on September 1st annually and all installments with accrued interest shall be due and subject to the same interest, fees and penalties as the Village taxes on such property. On monthly payments the first installment and accrued interest shall be billed on the first of the month that arrives more than 30 days but less than 60 days after the date when the connection permit is issued and all installments and accrued interest shall be due on the date shown on the bill and delinquent payments shall be subject to a 10% penalty. The balance of any connection charge from time to time remaining unpaid may nevertheless be paid in cash at any time before due, together with accrued interest to the date of payment.

SECTION 4: FINANCING FOR ADDITIONAL UNITS:

In the event a structure which has already been connected to the sewer system is modified or used in such a way that the purchase of additional units of sewage capacity are required, said additional units may be paid for on an installment plan according to the following terms:

25% at the time of the purchase of said units. The balance to be paid in full within one (1) year from the date of purchase. Interest shall be payable on the unpaid balance at the rate of one (1%) percent per month. All connection charges and all installments thereof, together with interest, fees and penalties, shall constitute a lien upon the property connected to the sewer and such lien shall be enforced in the same manner as are liens for Village taxes.

SECTION 5: HOME OCCUPATIONS:

- (5.1) 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".
- (5.2) 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.
1. No person other than the members of the family residing on the property shall be engaged in such occupation.
 2. 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.
 3. 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.
 4. No home occupation shall be conducted in any accessory structure other than a residential garage.

5. There shall be no sale of any goods manufactured elsewhere in connection with such home occupation.
6. 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.
7. 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.

(2.2) 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. 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.

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 related to debt retirement 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 subdivider shall agree to install in such subdivision, at his own expense, an approved system, of lateral sewers and to connect the same to a public sewer. A public sewer shall be deemed to be available to any 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 with the Village for a permit to sever the connection and shall pay a \$15.00 permit and inspection fee.

- (5.3) 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 of 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 re-connect the building to the public sewer.
 - (d) The cost involved in capping the connection.
- (5.4) 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.
- (5.5) Whenever the owner of property which has had its building sewer capped desires to re-connect the property to the public sewer, the owner shall make application with the Village for a permit to re-connect the sewer and shall pay a \$50.00 permit and inspection fee.
- (5.6) 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 the building or structure on such property in which water is used or is available for use.

SECTION 3: RESPONSIBILIY OF PROPERTY OWNER:

Compliance by any owner of any structure or by any other person with any requirements or regulations of the County Agency or with the terms of any permit issued by the County Agency shall not relieve such owner nor other person of the obligation of complying with all requirements and regulations of the Village even though the latter may be more restrictive than those of the County Agency.

SECTION 4: NO EXEMPTION FOR PAYMENT:

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

SECTION 5: DEMOLITION OF BUILDING & CAPPING OF SEWERS:

- (5.1) 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.
- (5.2) The owner of the property shall make application from entering the public sewer.

SECTION 6: FUTURE DEVELOPMENT FUND:

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

SECTION 7: PENALTIES AND ENFORCEMENT:

The provisions of this ordinance shall be enforced through the bringing of appropriate action for injunction mandamus or otherwise in any court having jurisdiction. Any violation of the ordinance is deemed to be a nuisance per se and each day of violation is deemed to be a separate violation. Any person, firm or corporation convicted of disposing of sewage in a manner contrary to the provisions of this ordinance shall be guilty of a misdemeanor and subject to a fine not to exceed \$300.00 or imprisonment for a period not to exceed ninety (90) days or both, such fine and imprisonment in the discretion of the occur together with cost of said prosecution.

SECTION 8: SEVERABILITY:

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

SECTION 9: DATE OF EFFECT:

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

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 (minimum assignment 1 unit per profession) | .65 per doctor |
| Convalescent Homes | .30 per bed |
| Convents | .25 per person |
| County 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 Homes | 1.00 per 100 funerals/year |
| Grocery Stores & Super Markets | 1.10 per 1,000 sq. ft. |
| Hospitals | 1.40 per bed |
| Hotels (private bath/2-person room) | .25 per bed |
| Laundry (self-serve) | .50 per washer |
| Multiple Family Residence | 1.00 per unit |

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| Motels | .25 per bed |
| 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 (showers 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 | 3.5 per 1,000 sq. ft. |
| Theaters (drive-ins) | .01 per car space |
| Theaters (inside with air cond.) | .0001 x weekly hrs. of operation x seat |
| Tourist Courts (individual baths) | .27 per cubical |
| Trailer Pars (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 classification will be the same as determined by the Genesee County Water and Waste Division, Genesee County Drain Commissioner's Office.

SECTION 10: PUBLICATION:

This ordinance was approved by a vote of the Village Council, a quorum being present on the 7th day of June, 1993, and ordered published in three public places in the Village of Otisville.

STATE OF MICHIGAN)
) SS:
 COUNTYH OF GENESEE)

I, Jean M. Griswold Clerk of the Village of Otisville, Genesee County, Michigan do hereby certify that the foregoing Village of Otisville Ordinance No. 146 was duly adopted at a regular meeting of the Village Council of the Village of Otisville, held at the Forest Township Hall on the 7th day of June, 1993 and ordered published in three (3) public places in the Village of Otisville within ten (10) days after its adoption.

(Signed) Jean M. Griswold, Otisville Village Clerk
 Robert Price, Otisville Village President