

ORDINANCE NO. 107

**TOWNSHIP OF BOARD
TOWNSHIP OF WRIGHT
HILLSDALE COUNTY, MICHIGAN**

Board member, Roger Zimmerman, supported by Board member, Connie Strong, moved the adoption of the following Ordinance:

ORDINANCE NO. 107

**AN ORDINANCE REGULATING THE USE, OPERATION, AND
MAINTENANCE OF THE SANITARY SEWAGE DISPOSAL SYSTEM
OF THE TOWNSHIP OF WRIGHT**

THE TOWNSHIP OF WRIGHT ORDAINS:

**ARTICLE I
DEFINITIONS**

1.1 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- (a) Available Public Sanitary Sewer. A public sanitary sewer line located in a right-of-way, a highway, street, or public way which crosses, adjoins, or abuts upon the property and passing not more than 200 feet at the nearest point from a structure in which sanitary sewage originates.
- (b) 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 degrees centigrade expressed in terms of weight and concentration (milligrams per liter [mg/l]).
- (c) Building drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside of walls of the building and conveys to the Building Sewer, beginning 3 feet outside inner face of the building wall.
- (d) Building Sewer. The extension from the building drain to the public sewer main, including the portion of the building sewer located in public right-of-way or public easements, or other place of disposal, including the provision and installation of a grinder pumping station and all appurtenances, meeting Township requirements.

ORDINANCE NO. 107

- (e) Combined Sewer. A sewer receiving both stormwater and sewage.
- (f) Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (g) County. Shall mean the County of Hillsdale, Michigan.
- (h) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Michigan.
- (i) Director. The Township Supervisor or his/her duly authorized representative.
- (j) Domestic Waste. The waste originating mainly from residential sources.
- (k) Garbage. Solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.
- (l) Ground Water. The water beneath the surface of the ground, whether or not flowing through known or definite channels.
- (m) Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (n) Indirect Discharge. The discharge or the introduction of non-domestic pollutants from any source, into the Public Sanitary Sewer System (including holding tank waste discharged into the system).
- (o) Industrial User. A source of Indirect Discharge.
- (p) Industrial Waste Liquid. Waste from industrial processes as distinct from domestic waste.
- (q) Interference. A discharge which, alone or in conjunction with a discharge or discharges from other sources, both: (i) inhibits or disrupts the System, its treatment processes or operations, including without limitation, the use or disposal of treated water or the use or disposal of sludge, or (ii) which causes any violation of any requirement of the ground water discharge permit issued pursuant to the Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended.
- (r) Medical Waste. Isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially

ORDINANCE NO. 107

contaminated laboratory wastes and dialysis wastes.

- (s) Natural Outlet. Shall mean any outlet into a water course, pond, ditch, lake or other body of surface or ground water.
- (t) Operation and Maintenance. The satisfactory provision for assuring proper and efficient functioning of the treatment works.
- (u) Person. Any individual, firm, municipality, company, association, society, corporation, partnership, or group, including their officers and employees who have responsibility for or actual involvement in the matters regulated by the chapter.
- (v) Ph. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- (w) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
- (x) Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (y) Properly Shredded Garbage. Shall mean the wastes from the preparation, cooking and dispensing of foods that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.
- (z) Public Sanitary Sewer System or System. The Township of Wright sanitary sewage treatment system which is owned and operated by the Township, including all collection lines, pressure mains, pressure service lines, trunk sewers, interceptors, pump stations, grinder pump stations, lift stations, manholes, the Treatment Facility and all appurtenances thereto (except Building Sewers to grinder pumps and electrical service from the house to the grinder pump station).
- (aa) Public Sewer. Shall mean a sewer owned and controlled by the Township.
- (bb) Replacement. Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance, for which such works were designed and constructed.

ORDINANCE NO. 107

- (cc) Sanitary Sewer. A sewer or pressure main which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- (dd) Shall is mandatory; May is permissive.
- (ee) State. Shall mean the State of Michigan.
- (ff) Storm sewer or storm drain. A sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- (gg) Storm water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (hh) Suspended Solids. The total suspended matter that floats on the surface or, is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.
- (ii) Treatment Facility. The portion of the Public Sanitary Sewer System designed to provide treatment to wastewater including without limitation the lagoons.
- (jj) System. Shall mean the Public Sanitary Sewer System.
- (kk) Township. The Township of Wright, Hillsdale County, Michigan, or, where appropriate, the board of trustees of the Township or other duly authorized official representative of the Township, including, without limitation, its agents and employees.
- (ll) Township Board. Shall mean the board of trustees of the Township.
- (mm) User. Any person, who contributes, causes or permits the contribution of wastewater into the Township's Public Sanitary Sewer System.
- (nn) User Charge. A charge levied on Users of treatment works for the cost of operation and maintenance of such works.
- (oo) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions together with any groundwater or surface water that may be present, whether treated or untreated, which is contributed into or permitted to enter the System.
- (pp) Watercourse. Shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ORDINANCE NO. 107

(qq) 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.

1.2 Abbreviations.

The following abbreviations shall have the designated meaning.

- (a) BOD Biochemical Oxygen Demand.
- (b) SWDA Solid Waste Disposal Act. 42 U.S.C. 6901, et. seq.
- (c) USC United States Code.
- (d) TSS Total Suspended Solids.

**ARTICLE II
USE OF PUBLIC SEWERS REQUIRED**

2.1. Waste Deposits.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Township, or in any area under the jurisdiction of the Township, any human or animal excrement, garbage, or other objectionable waste.

2.2. Water Pollution.

It shall be unlawful to discharge or cause to be discharged into any storm sewer, natural watercourse, or artificial watercourse, any sewage or other polluted waters other than storm water or uncontaminated industrial waters as defined in this ordinance or to increase an approved use except upon special agreement or arrangement with the Township in accordance with rules and procedures or appropriate agencies of the State of Michigan.

2.3. Privies and Septic Tanks.

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 in any area of the Township served by the System.

2.4. Sewer Connection Required.

ORDINANCE NO. 107

The owners of all new houses, buildings or properties used for human occupancy, employment, recreation or other purpose (where liquid wastes are produced), situated within the Township and abutting on any street, alley or other public right-of-way in which there is now located or may in the future be located a public sanitary sewer line not more than 300 feet at the nearest point from such house, building or property are hereby required, at their expense to install suitable toilet facilities and connect such facilities directly to the proper public sanitary sewer line. Said connection shall be preceded by proper application for and receipt of a sanitary sewer connection permit as required by Section 4.2. The Township may require any such owner, pursuant to the authority conferred upon it by law or ordinance, to make such installations and connections. Said connections shall be completed and inspected prior to occupancy.

ARTICLE III PRIVATE SEWAGE DISPOSAL

3.1 Private sewage Systems.

When a public Sanitary Sewer is not available under the provision of Section 2.4 the Building Sewer shall be connected to a private sewage disposal system constructed in compliance with all applicable laws, rules and regulations including, but not limited to, those of the Township.

3.2. Location of System.

Where private sewage disposal systems are constructed they must be located at least 50 feet from any surface water, natural or artificial drain, or open joint, sub-surface ground water, or tile drain unless otherwise approved by the Township. All installations shall comply with the existing State laws and regulations.

3.3. Discontinuance of System.

(a) If an Available Public Sanitary Sewer exists, (as defined in section 1.1) a property served by a private sewage disposal system and unless established to the contrary, all buildings as described in Section 2.4 shall be required to make proper installation and connection to the Available Public Sanitary Sewer when one of the following occurs:

- (1) Failure of an existing private sewage disposal system. Said failure shall be confirmed by either the appropriate Township official or the local health department sanitarian.
- (2) Action by the Township to establish a "date certain" for connections to be made. Said action may be applied to individual buildings or to defined areas or districts.

ORDINANCE NO. 107

(b) All connections shall be preceded by a proper application and receipt of a sanitary sewer connection permit as required by Section 4.2.

(c) All component parts of any private sewage disposal system shall be abandoned and filled with suitable material at the owner's expense, in accordance with Township regulations. All filling and demolition of abandoned private sewage disposal systems shall be inspected and approved by designated Township officials.

3.4. Maintenance.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Township.

3.5. Additional Requirements.

No statements contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Township or other authorities with respect to private sewage disposal,

ARTICLE IV BUILDING SEWERS AND CONNECTIONS

4.1. Connection to Sewer.

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 Township or from such official as it may designate.

4.2. Permit Required.

All connections with any public sewer shall be made only on written authorization and permits issued by the Township and on such forms and on payment of such fees as shall be established from time to time by the Township.

4.3. Cost of Building Sewer.

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner of said property. The owner shall indemnify the Township from all loss or damage that may directly be occasioned by the installation of the Building Sewer. The owner shall obtain all related permits associated with construction of the Building Sewer.

4.4. Application - Plans.

(a) All applicants for sewer connection permits shall, when required, submit

ORDINANCE NO. 107

plans and specifications of all plumbing construction within such building or premises and such plans and specifications shall meet the requirements of the Plumbing Code of the State of Michigan, and all orders, rules and regulations of the Department of Health. The approval of connection permit shall also be contingent upon the availability of capacity in all downstream sewers, lift stations, force mains, and sewage treatment plant. When such plans and specifications have been approved by the Township, a sewer or plumbing permit shall be issued, subject to final inspection and approval when construction is completed.

(b) Final approval will be subject to compliance with all applicable laws, rules, regulations, orders and directives.

4.5. Inspection.

(a) The applicant for a sanitary sewer connection permit shall notify the Township when the Building Sewer is ready for inspection. The Township shall then inspect the Building Sewer and its connection to the Public Sewer and if such connection meets the previous requirements as so approved in the construction permit, a sewer connection approval shall be issued, subject to the applicable provisions of this ordinance.

(b) Upon final approval of any sewer connection all sewer supports, testing of sewer, back filling of sewer, including material and other elements contingent on completion of installation shall comply with all applicable laws, rules, regulations, orders and directives, including the Township's building codes.

4.6. Building Sewer Maintenance.

The costs of all repairs, electrical service, maintenance and replacements of existing Building Sewers (except Township-owned grinder pump stations and pressure mains), and their connection to Public Sewers shall be borne by the property owner. Such owner shall make application for permit to perform such work to the Township.

4.7. Connections; How Made.

All connections to existing or new sewers will, at the option of the Township, be made or inspected by the Township. The connection of a gravity building sewer into the Public Sewer shall be made at a Y branch, if such branch is available at a suitable location. If a grinder pump is required, the owner must purchase and install a grinder pump that meets all specifications as set forth by the Township. The owner shall build the grinder pump station connection into the County right-of-way and connect it into the public force main.

4.8. Excavation Precautions.

ORDINANCE NO. 107

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.

4.9. Separate Connections Required.

Each building connected to any public sewer shall be connected by means of a separate Building Sewer. The use of multiple Building Sewers is prohibited.

4.10. Backfill Requirements.

When connections are to be made with any sewer in any street the trench shall be backfilled with sand or gravel in layers not to exceed eight inches in thickness. Each layer shall be thoroughly and solidly tamped in place; the backfill shall be finished to the same grade as the original surface and shall be maintained in that condition for a period of one year from the date after which they were installed. Where the existing roadway is cindered or graveled, the final eight inches of the backfill shall be made with gravel. In case of failure to maintain trenches and backfill in such condition, the Township is authorized by this article to make the necessary repairs and charge the total cost against the person responsible for the same. No backfill shall be placed until the Building Sewer and connection have been inspected and approved by the Township.

4.11. Time Limit on Open Trench

The person or owner causing any excavation or trench to be made in any public street or thoroughfare in the Township shall be required to backfill and replace the trench as herein provided within a period of three days after work of excavating has been started unless written permission is granted by the Township to allow the trench to be open for a longer period of time. In case of the failure to promptly refill any trenches within a period of three (3) days, the Township shall have the right to cause the same to be refilled and the expense shall be charged against the person, or owner responsible therefor.

4.12. Barricade Requirements.

Every person digging or causing to be dug any trench in any public street or thoroughfare, for the purpose of making connections with sewer mains shall place or cause to be placed and maintained at and along such trench, proper signals, colored lights and barricades to give warning and prevent accidents, but in no case shall a trench be dug so as to entirely block any street for travel without the prior written consent of the Township. In case of the failure to properly barricade or light such excavations or trenches, the Township is authorized to cause the same to be lighted or barricaded and the expense thereof shall be charged against the persons responsible for the opening.

4.13. Sewer Connection Requirements.

(a) All gravity pipe used in sewer connections shall be made with the following approved gravity sewer pipe:

(1) PVC, ASTM D3034 SDR 35 with ASTM D 3212 joints.

(b) All force main pipe used in pressure sewer connections shall be made with the following approved force main pipe:

(1) PVC meeting ASTM specifications D 2241, SDR21 with integral wall bell with locked-in elastometric ring conforming to ASTM F-477. Concrete blocking shall be used at all fittings.

(c) Gravity sewer pipe shall not be less than four inches in diameter and pressure service lines not less than 1-1/2", and at such locations in the public sewers where branches or wyes were placed for that purpose, if any. Where there are no wyes, the sewer may, for the purpose of making connections, be tapped under the direction and supervision of the Township; the connection shall be made by saddle device approved by the Township. All work for the purpose of making sewer connections shall be done in compliance with the rules, regulations, and codes governing plumbing in the Township.

4.14. Sewer Elevation.

Whenever possible the sewer connection shall be brought to the building at an elevation below the basement floor. No sewer connection shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth to invert shall be sufficient to afford protection from frost. In all buildings in which any Building Sewer is too low to permit gravity flow to the Public Sewer, sanitary sewage carried by such sewer shall be lifted by approved artificial means and discharged to the sewer connection.

**ARTICLE V
USE OF THE PUBLIC SEWERS**

5.1. Unpolluted Water.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

5.2. Storm Drainage.

Storm Water and all other unpolluted drainage shall be discharged to such

ORDINANCE NO. 107

sewers as are specifically designated storm sewers, or to a natural outlet approved by the Township and the County, and in compliance with rules and procedures of various agencies of the State of Michigan. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Township to a storm sewer, or natural outlet. The Township has the right to exclude industrial or commercial waste in whole or in part, for any reason from storm sewers.

5.3. Prohibited Changes.

(a) No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will cause Interference with the operation or performance of the System as defined in Section 1.1(p). A User may not contribute the following substances to the System:

- (1) Any wastewater having a temperature which will inhibit biological activity in the treatment facility resulting in Interference, but in no case Wastewater with a temperature at the introduction into the Treatment Facility which exceeds 40°C (104°F).
- (2) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, gas or pollutant which can create a fire or explosion hazard defined as being greater than 20% of the lower explosive limit (LEL) for the substance.
- (3) Any garbage that has not been properly shredded.
- (4) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rugs, feathers, tar, plastic, wood, paunch manure, or any other solid or viscous substance causing obstruction to the flow in sewers or other Interference with the proper operation of the sewage works.
- (5) Any wastes having any other corrosive properties of causing damage or hazard to structures, equipment, and personnel of the System.
- (6) Any waters, or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, fish or aquatic life, or create any hazard in the receiving waters or in the Treatment Facility.
- (7) Any waters or wastes containing Suspended Solids of such character and quantity that unusual attention or expense is required to handle such materials at the Treatment Facility.
- (8) Any noxious or malodorous gas or substance capable of creating a

ORDINANCE NO. 107

public nuisance.

- (9) Any waters or wastes having Ph less than 5.0 and greater than 11.0.
- (10) Any substance which may cause the System's effluent or any other product of the System such as residues, sludges, or scums, to be unsuitable for reclamation process. In no case shall a substance discharged to the Treatment Facility cause the Treatment Facility to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.
- (11) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (12) Any Pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause Interference to the Treatment Facility.
- (13) Any Wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Township in compliance with applicable State or federal regulations.
- (14) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
- (15) Pollutants which result in the presence of toxic gases, vapors, or fumes within the Treatment Facility in a quantity that may cause acute worker health and safety problems.
- (16) Any trucked or hauled Pollutants.
- (17) Any medical waste.

(b) When the Township determines that a user(s) is contributing to the System any of the above enumerated substances in such amounts as to interfere with the operation of the System, the Township shall:

- (1) advise the user(s) of the impact of the contribution of the System;
- (2) develop effluent limitation(s) for such user to correct the

ORDINANCE NO. 107

Interference with the System; and

- (3) set a time limit for compliance with (1) and (2) above.

5.4. Interceptors.

(a) Grease, oil, sand interceptors, and conventional grease traps shall be provided when, in the opinion of the Township, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Township and shall be located as to be readily and easily accessible for cleaning and inspection.

(b) 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 in place, shall be gastight and watertight.

5.5. Interceptor Maintenance.

Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at the owner's expense, in continuously efficient operation at all times and shall be accessible for inspection by Township employee's at all reasonable times.

5.6. Agreements.

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

**ARTICLE VI
USER RATES AND CHARGES FOR WASTEWATER DISPOSAL SERVICES**

6.1. Rates and Charges.

Rates and charges for sanitary sewer collection and treatment shall be in such amounts as shall be established from time to time by resolution of the Township Board.

**ARTICLE VII
ANNUAL REVIEW**

7.1 Review of Rates and Charges.

ORDINANCE NO. 107

Annually, prior to the adoption of the Township's next fiscal year budget, there shall be a review by the Township of all rates and charges, including user and connection charges. Upon completion, a report shall be prepared and presented at a meeting of the Township Board summarizing the review and recommending rates and charges which will assure that the costs of service will be recovered from Users classed proportionately to the cost of providing service to them.

**ARTICLE VIII
POWERS AND AUTHORITY OF INSPECTORS**

8.1. Inspectors.

The duly authorized employees of the Township bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance. The Township's officers, employees and agents are hereby appointed to act as officers and agents of the Township for the administration and enforcement of this ordinance.

8.2. Record Copying.

Inspectors shall have the right to have access to and make copies of any discharge related records of any non-domestic user.

8.3. Collecting Non-Domestic User Information.

The Township shall have the right to request and receive certain specific information from all non-domestic users. This information may include specific additional information which may be used to identify potential hazardous waste sources.

**ARTICLE IX
APPLICATION FOR SEWER SERVICE AND BILLING PROCEDURES**

9.1. Application for Service.

A User desiring to obtain sewer service shall sign the required application form which is available at the office of the Township, 14640 Waldron Road, Waldron, Michigan 49288. A signed application must be received before new service will be commenced. In the event sewer service at the premises is to be continuous through a change of ownership in the premises, an application from the new User (owner) must be received prior to the change in ownership. Failure to complete an application may result in discontinuance of service.

9.2. Responsibility for Sewer Service Bills.

The owner of a premises receiving sewer service shall be responsible for the timely payment of the charges for that service, and any unpaid charges shall become a lien on the property in accordance with applicable Michigan law. If, however, the tenant is to be responsible for the payment of sewer charges, the Township must be so notified in a writing signed by both the landlord and tenant and including a true copy of the lease of the affected premises, if one exists. In the event of filing of the notice, no further service to the premises will be provided, unless and until a cash deposit of not less than the estimated bill for three (3) months of sewer service has been deposited with the Township as security for the payment of the charges. In any other case where, in the discretion of the Township, the collection of charges for sewer disposal service may be difficult or uncertain, the Township may require a deposit.

9.3. Return of Security Deposits.

The Township shall refund a deposit upon satisfactory payment by the user of all proper charges for sewer service for a period of twelve (12) successive billing quarters. Payment will be considered satisfactory if made prior to the issuance of any notice of discontinuation of service for nonpayment. Users who have established credit by the satisfactory payment of sewer charges at one premises shall not be required to make deposits at a subsequent premises. A User who has been refunded a deposit shall be required to remake a security deposit in the event that User's service is discontinued for nonpayment before service will be reinstated. Upon termination of service, the deposit shall be credited to the final bill, and the balance, if any, shall be promptly returned to the User.

9.4. Sewer Service Bills.

Bills for sewer service shall be rendered quarterly and are payable at the office of the Township. The total amount of the sewer charges shall be the "net" amount of the bill.

9.5. Payment of Bills.

Bills shall be due and payable fifteen (15) days from the date of the mailing of the bill. There shall be no discount for early payment.

9.6. Late Payment Penalty.

In the event the bill is not paid by the due date, a ten percent (10%) penalty will be added to the net amount of the bill, and both shall become immediately due and payable. All payments by mail must be postmarked on or before the due date to prevent imposition of the ten percent (10%) penalty. When the due date falls on a legal holiday, Saturday, or Sunday, the net amount will be accepted on the first (1st) business day following. Failure to receive the bill shall not excuse a late payment penalty unless it can

ORDINANCE NO. 107

be shown from the billing record that the bill was not sent.

9.7. Change of Address.

It shall be the responsibility of the owner and/or User to notify the Township of any change in ownership or billing address.

9.8. Notice of Past Due Bill.

If payment is not received within fifteen (15) days of the due date, a reminder notice will be sent by first class mail to the last known address of the User. The reminder notice shall inform the User that the account is past due and that any questions regarding the bill should be directed to the Township.

9.9. Termination of Sewer Service for Nonpayment.

If payment is not received or satisfactory arrangements have not been made within thirty (30) days of the due date on the bill, a termination of service notice will be sent by first class mail to inform the User that failure to pay the past due amount, including any penalties, within seven (7) days will result in termination of service. This notice will also inform the User that the User may request a hearing before the Director prior to any termination of service. At the hearing the User will be given an opportunity to show why service should not be terminated. If payment is not received or satisfactory arrangements have not been made or a hearing has not been requested within seven (7) days after the notice is mailed to the User, the sewer service will be discontinued. No sewer service that has been discontinued for nonpayment of charges shall be restored until all past due bills and penalties are paid or satisfactory arrangements for such payment are made.

9.10. Sewer Shut-Off.

In addition to other remedies provided, the Township shall have the right to shut off and discontinue the supply of sewage service to any premises for the non-payment of sewer rates when due. If such charges are not paid within thirty (30) days after the due date thereof, then sewage services to such premises shall be discontinued. Sewage services so discontinued shall not be restored until such time as all charges and penalties are paid. Sewage shut-off shall be preceded by adequate notification and an opportunity to request a hearing as provided for in Section 9.9. Notices and hearings under Section 9.9 and 9.10 may be combined.

9.11. Collection of Rates.

The charges and rates for sewer services provided herein which are made a lien on all premises served thereby, unless notice is given as provided by State statute that a tenant is responsible, are hereby recognized to constitute such lien, and whenever

ORDINANCE NO. 107

any such charge against any piece of property shall be delinquent for forty-five days, the Township shall certify annually on September 1 each year, to the tax-assessing officer of the Township, the fact of such delinquency, whereupon such charge shall be entered by him or her upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general Township taxes against such premises are collected, and the lien thereof enforced; provided; however, where notice is given that a tenant is responsible for such charges and service as provided by Michigan law no further service shall be rendered such premises until a cash deposit of not less than the estimated bill for three (3) months service shall have been made as security for the payment of such charges and service.

ARTICLE X PENALTIES

10.1. Civil Penalties.

Any User who violates any order of the Township, or who willfully or negligently, failed to comply with any provisions of this ordinance, and the orders, rules, regulations and permits issued hereunder, shall be responsible for a municipal civil infraction and fined a sum not less than \$100 or more than \$25,000 per day per violation. In addition to this fine, the Township may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation of not less than \$9.00 or more \$500.00. In addition, should it be determined that the Public Sanitary Sewer System or any of the connecting sewer lines or lift stations have incurred damage as a result of any violation of this ordinance, the Township shall have the right to recover any and all damages from those parties in violation.

10.2 Falsifying Information.

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 \$500 or by imprisonment for not more than ninety (90) days, or by both.

10.3. Criminal Penalty.

Any person determined responsible for a municipal civil infraction under Section 10.1 and who violates, disobeys, omits, neglects or refuses to comply with any provision of this ordinance after such determination shall, upon conviction, be punished for each offense by a fine of not more than \$500.00 and costs of prosecution, or by imprisonment for not more than ninety (90) days, or by both fine and imprisonment. Each day that a violation continues shall constitute a separate offense.

**ARTICLE XI
VALIDITY AND EFFECTIVE DATE**

11.1. Severability.

If any provision, paragraph, work, section, subsection or article of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, works, sections, subsections or article shall not be affected and shall continue in full force and effect.

11.2. Conflict.

In the event of a conflict between this ordinance and any other ordinance, this ordinance shall control.

11.3. Effective Date.

This ordinance shall take effect thirty (30) days after its first publication.

YEAS: Member(s) - Connie Strong, Roger Zimmerman, Lois Hills, Frederick Horwath

NAYS: Member(s) – none

ABSTAIN: Member(s) – none

ABSENT: Member(s) - William white

Approved this 14th day of July, 2005.

Frederick J. Horwath
Wright Township Supervisor

Lois J. Hills
Wright Township Clerk

ORDINANCE NO. 107

CERTIFICATION OF THE CLERK

I, Lois J. Hills, Township Clerk of the Township of Wright, certify that this ordinance was adopted by the Township Board in a meeting held July 14, 2005.

DATED: July 14, 2005

Lois J. Hills
Wright Township Clerk
10620 Prattville Road
Pittsford, MI 49271
(517) 383-2595

*A true copy of the Ordinance can be obtained or inspected from Lois Hills,
Township Clerk, at 10620 Prattville Road, Pittsford, Michigan*