

THE PENINSULA TOWNSHIP
UNIFORM SEWER USE AND CONSTRUCTION
ORDINANCE OF 1987

ORDINANCE NO. **15**

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THE PENINSULA TOWNSHIP
UNIFORM SEWER USE AND CONSTRUCTION
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An Ordinance to protect the health, safety and welfare of the people; to provide for the connection of structures in which sanitary sewage originates to an available public sanitary sewer system; to regulate the design, construction and use of public and private sewers and drains and private sewage disposal facilities; to prescribe limitation on the discharge of certain waters and wastes into a public sewer system; to provide for the administration of this Ordinance; and to establish remedies.

The Township of Peninsula, located in
Grand Traverse County, Michigan,
ordains:

ARTICLE I

Finding of Necessity and Definitions

Section 1. Finding of Necessity

A public sanitary sewage system is essential to the health, safety and welfare of the people of the Township. Failure or potential failure of septic tank disposal systems poses a menace to health, presents a potential for the transmission of disease, and for economic blight, and constitutes a threat to the quality of surface and subsurface waters of the Township. The connection of structures in which sewage originates to an available public sanitary sewer system at the earliest reasonable date; the proper design, construction and use of public and private sewers and drains and private sewage disposal facilities; and protective limitations on the discharge of certain waters and wastes into the public sewer system; are all matters for the protection of the public health, safety and welfare and are necessary in the public interest, which is hereby declared.

Section 2. Definitions

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

(a) "Abbreviations":

BOD:	Biochemical Oxygen Demand
COD:	Chemical Oxygen Demand
CWA:	Clean Water Act
CFR:	Code of Federal Regulations
EPA:	Environmental Protection Agency of the United States
IPP:	Industrial Pretreatment Program
L:	Lite
MG/L:	Milligram Per Liter
MDNR:	Michigan Department of Natural Resources
NPDES:	National Pollutant Discharge Elimination System
POTW:	Publicly Owned Treatment Works
SIC:	Standard Industrial Classification
SS:	Suspended Solids
UG:	Micrograms
USC:	United States Code

- (b) "Act." The federal water pollution control act and the clean water act refer to public law 92-500, as amended.
- (c) "Alternative Discharge Limit." A limit set by the Traverse City Regional Wastewater Treatment Plant in lieu of the promulgated national categorical pretreatment standards for integrated facilities in accordance with the combined wastestream formula as established by the EPA.
- (d) "Baseline Monitoring Report." A report that as a minimum identifies industry and its categorical pretreatment standards for integrated facilities in accordance with the combined wastestream formula as established by the EPA.
- (e) "B.O.D." (denoting Biochemical Oxygen Demand) means the quantity 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.

- (f) "Building Drain" means that part of the lowest horizontal piping of a drainage system which receives the sewage discharge from plumbing fixtures inside the walls of a building and conveys it to the building sewer. The building drain extends to a point 5 feet outside the inner face of the building wall.
- (g) "Building Sewer" means the extension from the building drain to the public sewer or other place of disposal, and includes the wye and riser installation.
- (h) "Chemical Oxygen Demand." A measure of the oxygen consuming capacity of inorganic and organic matter present in water and wastewater. It is expressed as the amount of oxygen consumed from chemical oxidant in a specific test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. Also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.
- (i) "Combined Sewer" means a sewer receiving roof drainage, surface runoff and sewage.
- (j) "Compliance Schedule." Measures taken and time frames to meet standards or regulations by required dates.
- (k) "County D.P.W." means the Grand Traverse County Department of Public Works operated by the County Board of Public Works.
- (l) "Director" means the Director of the County D.P.W. or such other person designated by the Township.
- (m) "Footing Drain" means a buried pipe surrounding a building for the purpose of draining groundwater away from the building footing.

- (n) "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods. It is composed largely of putrescible organic matter and its natural moisture content.
- (o) "Incompatible Pollutants." A pollutant which is not compatible with biological treatment or removal of which is not designed into the treatment process.
- (p) "Industrial Pretreatment Program." The federally mandated Industrial Pretreatment Program as promulgated under the Federal Pollution Control Act amendments of 1972 (PL-00-000 and the Federal Clean Water Act of 1977 (PL-00-000) as amended.
- (q) "Infiltration/Inflow" means water that enters the sewage collection system through broken or leaky pipes and manholes or through illegal roof or footing drains and catch basins connected to the sanitary sewer.
- (r) "Local Health Department" means the Grand Traverse-Leelanau-Benzie District Health Department.
- (s) "Michigan Critical Materials Register." A list of toxic materials and parameters promulgated by the MDNR, and authorized by Section 6 of act 245 of the Public Acts of 1929, as amended. MCLA 323.6b; MSA 3.526(2).
- (t) "Milestone Dates." Scheduled dates to accomplish steps toward planning and construction of pretreatment works.
- (u) "National Categorical Pretreatment Standard." Any federal regulation containing pollutant discharge limits promulgated by the EPA which applies to a specific category of industrial users.
- (v) "National Prohibition Discharge Standards." A regulation issued under Section 307(b) of the Act and 40 CFR, Section 403.5.

- (w) "Natural Outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- (x) "Non-Domestic User." Any industrial, commercial, or other entity that discharges wastewater other than used for household purposes.
- (y) "National Pollutant Discharge Elimination System." A permit system according to the Federal Water Pollution Control Act, as amended by Public Law 92-500, issued pursuant to section 402 of the Act (33 U.S.C. 1342, as amended). It prohibits any person from discharging pollutants into a waterway from a point source unless the discharge is authorized by a permit issued either by the U.S. Environmental Protection Agency or by an approved state agency.
- (z) "Owner." The last recorded titleholder of lot or parcel of land.
- (aa) "Person." Any individual, firm, company, association, society, corporation, group, city, township, village, county, municipality or public corporation. Any single, multiple, commercial or industrial establishment.
- (ab) "pH" means the logarithm of the reciprocal of the concentration of hydrogen ions in moles per liter of solution.
- (ac) "Pollutant." Any of various chemicals and refuse materials such as solid waste, garbage, sewage sludge, chemical waste, biological materials, radioactive materials, heat and industrial, municipal and agricultural wastes which impair the purity of the water or soil.
- (i) "Compatible Pollutant." A substance amenable to treatment at the Wastewater Treatment Plant such as biochemical demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned treatment works was designed to treat such pollutants and, in fact, does

remove such pollutants to a substantial degree. Examples of such additional pollutants may include chemical oxygen demand, total organic carbon, phosphorus and phosphorus compounds, nitrogen compounds, fats, oil, and greases of animal or vegetable origin.

(ii) "Priority Pollutant." A toxic compound designated as a priority pollutant by the EPA.

(ad) "Pollution." The man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of water.

(ae) "Pretreatment or treatment." The reduction the amount of pollutants, the elimination of pollutants, the alteration of the nature of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the sewage works. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 CFS Section 403.6(D), as amended.

(af) "Progress Report." A report to be submitted fourteen days after the milestone date that indicates if compliance schedules are being met.

(ag) "Properly Shredded Garbage" means the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

(ah) "Publicly Owned Treatment Works." The Wastewater Treatment Works of Traverse City that acts as the authorized agent for the City and participating townships.

- (ai) "Public Sewer" means a sewer that is used or intended for use by the public for the collection and transportation of sewage for treatment or disposal and is owned and operated by a governmental agency.
- (aj) "Pumping System." A mechanical device for lifting or pressurizing wastewater flows.
 - (i) Lift Station. A pumping station designed primarily to move wastewater vertically.
 - (ii) Booster Station. A pumping station designed primarily to move wastewater horizontally.
- (ak) "Roof Drain" means a system for collection of precipitation which falls on a building roof and includes roof gutters and downspouts.
- (al) "Sanitary Sewer" means a sewer which carries sewage and to which storm, surface, and ground waters are meant to be excluded.
- (am) "Self Monitoring Report." Semi-annual report (June and December) for non-domestic user who must meet pretreatment standards.
- (an) "Sewage" (wastewater) means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments. Ground, surface, and storm waters that may be present with the sewage is not sewage and is defined here as infiltration and inflow.
- (ao) "Sewage Treatment Plant" means any arrangement of equipment and structures used for treating sewage.
- (ap) "Sewage Works" means all facilities for collecting, pumping, treating and disposing of sewage.
- (aq) "Significant Violation." Any violation of this Ordinance which remains uncorrected 45 days after notification of noncompliance which is a part of a pattern of noncompliance over a twelve month period, or which involves

a failure to report accurately noncompliance, or which results in the exercise of the sewage works emergency authority under 40 CFR 403.8 (F((2)(VI)(B) as amended.

(ar) "Standard Industrial Classification." (SIC) A classification pursuant to the standard industrial classification manual issued by the Executive Office of the President, Office of Management and Budget, 1972, as amended.

(as) "Slug" means any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes, more than 5 times the average 24-hour concentration or flow rate during normal operation.

(at) "Storm Drain" (sometimes termed "storm sewer") means a sewer which carries storm and surface waters and drainage, but excludes sewage and most industrial wastes. Unpolluted industrial cooling water is an example of industrial waste acceptable in a storm drain.

(au) "Suspended Solids."

(i) Solids that either float on the surface of or are in suspension in water, wastewater, or other liquids, and which are largely removable by laboratory filtering.

(ii) Nonfilterable residue consisting of the quantity of material removed from wastewater in a laboratory test, as prescribed in "Standard Methods for the Examination of Water and Wastewater".

(av) "Township" means this Township.

(aw) "Toxic." A substance that is harmful to humans, animals or the environment.

(ax) "Toxic Pollutant." Any pollutant or combination of pollutants which is or can potentially be harmful to public health, treatment or environment, including those listed as toxic in regulations promulgated by

the administration of the Environmental Protection Agency, under the provisions of CWA 307(A) or other acts, as amended.

- (ay) "Water Quality Standard" means the maximum amount of various foreign substances in water that safely may be discharged into a natural outlet.

ARTICLE II

Required Use of Public Sewers

Section 1. Discharges Prohibited

(a) A person shall not discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, footing drainage, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters, or any unused fresh or unpolluted water, directly or indirectly to any sanitary sewer, except as specifically allowed herein.

(b) Stormwater and unpolluted drainage shall be discharged into such sewers as are specifically designed as storm sewers or to a natural outlet. Unpolluted process waters shall be discharged into a storm sewer or natural outlet subject to the approval of the Township and all applicable governmental agencies.

(c) A person shall not discharge or cause to be discharged wastewater or any other material which may singly or by interaction with other material have any of the following deleterious effects:

1. Damages, impairs, or retards the strength or durability of sewers, sewer facilities or processes, such as by chemical reaction, mechanical action or otherwise.

2. Interferes with the normal inspection or maintenance of sewers or sewer facilities.

3. Places unusual demands on sewers, sewer facilities, or processes by biological, chemical or physical means.

4. Limits the effectiveness of the wastewater treatment process.

5. Creates a hazardous condition to sewer maintenance or treatment personnel or to the general public or a segment of the public.

6. Endangers life, limb, public property or constitutes a public nuisance.

7. Is contrary to any provision of this Ordinance.

Section 2. Standards for Discharge

Wastewater shall not be discharged into any sewer except under the following conditions:

(a) Daily volumetric average pH shall be 6.0 to 8.0, with temporary variations no higher than pH 9.5 or lower than pH 5.5. Wastewater which has corrosive properties capable of causing damage to the sewers or sewer facilities shall not be permitted.

(b) Gasoline, benzine, naptha, fuel oil, or any other explosive or flammable substance, either solid, liquid or gas, shall not be present.

(c) The temperature of wastewater shall be between 32 degrees Fahrenheit (0 degrees Centigrade) and 140 degrees Fahrenheit (60 degrees Centigrade). Wastewater shall not be discharged which increases the temperature of wastewater in the adjacent wastewater collection system to above 104 degrees Fahrenheit or which otherwise inhibits biological activity in the wastewater or wastewater process. Substances which will become viscous or solidified between 32 degrees and 140 degrees Fahrenheit shall not be present.

(d) Phosphorus, ammonia, nitrates, sugars and other nutrients or wastewaters containing them shall be limited to the extent necessary to prevent adverse affect on treatment processes resulting in the stimulation of growths of algae, weeds and slimes, and to prevent injury to water supply, recreational use of water, fish, wildlife and other aquatic life.

(e) Material such as dye waste and vegetable tanning solutions, which causes excessive coloration or light absorbancy or which is likely to interfere with plant processes or analytical determinations shall not be present.

(f) Improperly shredded garbage or suspended solids requiring additional expense or effort in collection or treatment shall not be present.

(g) Radioactive wastes or isotopes in such half-life or concentration exceeding limits established by the state or federal governments shall not be present. All users of radioactive material shall notify the Director in writing.

(h) Septic tank sludge or treatment process sludge, municipal or industrial, shall not be permitted except as approved, in writing, by the Director at approved locations delivered by licensed operators.

(i) Slugs, as defined herein, shall not be permitted.

(j) There shall not be present any concentrations of any substance beyond the average daily concentration limit indicated:

Parameter	Limit (Mg/l)
Substance	Parameter Limit(Mg/l)
BOD	250
COD	600
Chlorine requirement	15
Total suspended solids	250
Fats, grease and oil	50
Cadmium	0.2
Chromium (total)	2.5
Copper	.3
Cyanide	0.1
Iron	10
Nickel	1
Phenol	.03
Phosphorus	13
Zinc	2
Arsenic	2
Silver	1
Lead	1
Nitrogen	40

Parameters are expressed as and shall be reported as the actual element, radical, or ion by atomic or molecular weight.

(k) Discharges of the following may be permitted only after written application by the person discharging and a determination by the Director that the limits of the discharge comply with the standards established by the state and federal governments:

Aluminum	Maganese
Antimony	Mercury
Barium	Selenium
Beryllium	Thallium
Boron	Tin

(l) Concentrations of any other substance which, either individually or in combination with other substances:

1. interferes with or causes damage to wastewater treatment facilities or the receiving water,
2. contains pollutants in volume or strength to cause unit process upset or violation of POTW's NPDES Permit, or
3. prevents proper sludge disposal, shall be eliminated or reduced as required by the Director.

(m) No substance shall be permitted which is contrary to the National Categorical Pretreatment Standards, the National Prohibitive Discharge Standards, or the Michigan Critical Materials Register which are hereby adopted by reference. As these standards are modified or as further limitations are provided, they will automatically become a part of this Ordinance. In the event of conflict between such standards and this Ordinance, the more restrictive shall apply.

(n) Any admission of wastewater from a user having an average daily flow greater than 50,000 gallons per day shall be permitted only upon the express written approval of the Director.

(o) The following substances shall not be present: paint, oil, lacquer, thinner, solvent, mineral oil, sand, mud, plastic, wood, shavings, metal, glass, cloth, feathers, asphalt and tar.

Section 3. Private Facilities

Except as otherwise hereinafter provided, it shall be unlawful for any person to construct or maintain any privy, privy vault, septic field, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4. Connection Required

(a) All structures of every kind and character situated within the Township that are used or are available for use for household, commercial, industrial, institutional or other purposes in which there are toilet, kitchen, laundry, bathing or other domestic, industrial or commercial facilities generating sewage shall be connected directly to an available public sanitary sewer. A public sanitary sewer shall be deemed to be available for such connection if it is located on a street, alley, easement, or other right of way which crosses or abuts upon the property and passes not more than 200 feet at the nearest point from the structure in which sewage originates.

(b) The connection of existing structures to a newly installed public sanitary sewer which is available for connection as provided in paragraph (a) of this Section shall be made not later than 18 months from the date of publication of notice by the Township of the availability of the public sanitary sewer in a newspaper of general circulation in the Township. Provided, however, that upon a finding by the Local Health Department that sewage emanating from a structure is causing an immediate health hazard or public nuisance, the Township or the Local Health Department may require the connection to be made forthwith after notice to the owner of the property on which the structure is located. The notice may be given by first class or certified mail or by posting on the property.

(c) The connection of structures to a public sanitary sewer which are completed, or which are modified so as to become a structure in which sewage originates, after the date of installation of the available public sanitary sewer shall be made not later than the time such structure or modified structure is completed and is available for use.

Section 5. Reporting Information

Any person who, in the opinion of the Director, is or has the potential of creating a substantial environmental problem because of the discharge of waste shall provide the Director with the following information:

(a) A topographical plot plan of the site with all salient features including underground facilities, the waste stream and its designated outfall, storage areas for materials and a list of contents of the storage areas, and property lines.

(b) A written statement explaining the nature of the enterprise, the sources and amounts of water to be used, the amount of wastewater to be discharged, and its expected and current physical, bacterial, and chemical composition and other important characteristics.

(c) A written report on all raw and intermediate materials used in a given process and support systems and all final waste by-products which may be factors affecting waste control.

(d) Records, samples, tests and results and any reports on the pertinent characteristics of the waste showing the schedule, locations, and method used. The Director shall determine the schedule, locations, and methods to be used in providing such information.

Section 6. Non-Domestic Waste

Any person discharging or proposing to discharge non-domestic waste into a public sewer shall comply with Article III of this Ordinance.

Section 7. Storage of Priority Pollutants

Each non-domestic user that uses or stores priority pollutant or a substance listed on the Michigan Critical Materials Register shall be subject to storing such substances in a manner that prevents accidental spills into the wastewater system. The spill and containment procedures shall be preapproved by the Director. When ordered to do so by the Director, a non-domestic user shall file a spill and containment plan, a time limit to implement the plan, and will notify the POTW immediately of any accidental spills or discharges.

Section 8. Schedule of Rates and Charges

Permit fees and charges required by this Ordinance shall be established by the Township from time to time.

ARTICLE III

Non-Domestic Waste

Permits

Section 1. Wastewater Discharge Permits.

It shall be unlawful to discharge non-domestic wastes without a permit issued by the Township into any public sewer (or private sewer connected to a public sewer) within the jurisdiction of the Township.

(a) General Permits. All persons proposing to connect to and discharge non-domestic wastes to the POTW shall obtain a Wastewater Discharge Permit before connecting to the public sewer or the POTW. All existing non-domestic users connected to or discharging to the public sewer or the POTW shall have until January 1, 1986 to obtain a Wastewater Discharge Permit.

(b) Permit Application. Non-domestic users shall complete and file with the Director a permit application in the form prescribed by the Director, and accompanied by the fee established by the Township. A discharge

permit shall not be issued until the following conditions have been met unless waived by the Director:

1. Disclosure of name, address and location of the applicant;
2. Disclosure of number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
3. Disclosure of wastewater constituents and characteristics including but not limited to those mentioned in this ordinance, as determined by bona fide chemical and biological analyses. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, Part 136, as amended;
4. Disclosure of time and duration of discharge;
5. Disclosure of average daily and instantaneous peak wastewater flow rates, in gallons per day, including daily, monthly, and seasonal variations, if any. All flows shall be measured unless other verifiable techniques are approved by the Director due to cost or practical difficulty.
6. Disclosure of site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location and elevation;
7. Description of activities, facilities and plan processes on the premises including all materials which are or may be discharged to the sewers or POTW;
8. Disclosure of the nature and concentration of any pollutants or materials prohibited by this Ordinance

in the discharge, together with a statement regarding whether compliance is being achieved with this Ordinance on a consistent basis and if not, whether additional operation and maintenance activities and additional pretreatment is required to comply with this Ordinance.

9. Where additional pretreatment or operation and maintenance activities are required to comply with this ordinance, the applicant shall provide a declaration of the shortest schedule to provide such additional pretreatment and implementation of additional operational and maintenance activities.

a. The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required including, but not limited to, dates relating to hiring an engineer and other appropriate personnel, completing preliminary and final plans, executing contract for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this ordinance.

b. Under no circumstances shall the Director permit a time increment for any single step directed toward compliance which exceeds 9 months.

c. Not later than 14 days following each milestone date in the schedule and the final date for compliance, the permittee shall submit a progress report to the Director, including a statement as to whether it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to so

comply, the reason for delay, and the steps being taken to return to the approved schedule. In no event shall more than nine months elapse between such progress reports to the Director.

10. Disclosure of each product produced by type, amount, process or processes and rate of production;

11. Disclosure of the type and amount of raw materials utilized (average and maximum per day);

12. All permit applications shall be signed by a principal executive officer of the applicant.

(c) Permit Issuance and Conditions. The Director will evaluate the complete application and data furnished by the applicant and may require additional information. Within 30 days, after full evaluation and acceptance of the data furnished, the Director shall deny or grant a Wastewater Discharge Permit subject to terms and conditions provided herein. Wastewater Discharge Permits shall specify no less than the following:

1. Fees and charges to be paid upon initial permit issuance;

2. Limits on the average and maximum wastewater constituents and characteristics regulated thereby;

3. Limits on average and maximum rate and time of discharge and requirements for flow regulations and equalization;

4. Requirements for installation and maintenance of inspection and sampling facilities;

5. Special conditions as the Director may reasonably require under particular circumstances of a given discharge including sampling locations, frequency

of sampling, number, types and standards for tests and reporting schedule;

6. Compliance schedules;

7. Alternative discharge limits;

8. All requirements monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction shall be completed within 120 days of receipt of permit or within such period as the Director may establish.

9. Requirements for submission of special technical reports or discharge reports where same differ from those prescribed by this Ordinance.

10. All Wastewater Discharge Permits shall be issued for not to exceed five years duration, subject to amendment or revocation as provided in this Ordinance. Where in the opinion of the Director it is improbable that waste will be discharged in excess of the allowable limits of this ordinance and there is no reasonable likelihood of a discharge violation or pretreatment requirement in the future, a permit may be issued for a greater period of years.

11. Wastewater Discharge Permits are issued to a specific person for a specific operation and are not assignable to another person, location or operation without the prior written approval of the Director.

12. To retain all IPP records for a minimum of three years.

(d) Permit Modifications. The Township reserves the right to amend any Wastewater Discharge Permit issued hereunder in order to assure compliance by the Township with applicable laws and regulations. Within 9 months of the promulgation of a National

Categorical Pretreatment Standard, the Wastewater Discharge Permit of each permittee subject to such standards shall be revised to require compliance with such standards within the time frame prescribed by such standards. The holder of an existing Wastewater Discharge Permit shall upon request of the Director submit to the Director within 180 days after the promulgation of an applicable National Categorical Pretreatment Standard, the information required by subparagraph (b) of Section 1. A permittee shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(e) Reporting Requirements for Permittee.

1. Compliance Data Reports. By January 1, 1986, or 90 days following commencement of the introduction of wastewater into the POTW by a permittee, the permittee shall submit to the Director a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operation, maintenance and pretreatment is necessary to comply with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the permittee. In the event the report discloses that additional operation, maintenance or pretreatment is required, the adequacy of the additional steps shall be certified to by a qualified engineer licensed to practice in the State of Michigan.

2. Baseline Monitoring Reports. Any permittee subject to a Pretreatment Standard set forth in this Ordinance,

after the compliance date of such Pretreatment Standard, or, in the case of a new permittee, after commencement of the discharge to the POTW, shall submit to the Director during the months of June and December, unless required more frequently by the Director, a baseline monitoring report indicating the nature and concentration of prohibited or regulated substances in the effluent which are limited by the Pretreatment Standards. In addition, this report shall include a record of all measured or estimated average and maximum daily flows since the date of the last report. Flows shall be reported on the basis of actual measurement, provided, however, where cost or feasibility considerations justify, the Director may accept reports of average and maximum flows estimated by verifiable techniques. The Director, for good cause shown considering such factors as local high or low flow rates, holidays, budget cycles, or other extenuating factors may authorize the submission of said reports on months other than those specified above. Reports of a permittee shall contain all results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where required by the Director. The frequency of monitoring by the permittee shall be as prescribed in the applicable Pretreatment Standard of this Ordinance. All analyses shall be performed in accordance with 40 CFR, Part 136 and amendments thereto.

(f) Inspection and Sampling. The Director may inspect the permittee's property and all monitoring facilities to determine compliance with the requirements of this Ordinance. The permittee shall allow the Director and his representatives to enter upon the premises of the permittee at all reasonable hours, for the purpose of inspection, sampling, or records examination. The Director shall have the right to place upon private property such

devices as are necessary to conduct sampling, inspection, compliance monitoring and metering operations.

(g) Confidential Information. Information and data furnished to the Director with respect to the nature and frequency of discharge shall be available to the public or other governmental agency without restriction unless the supplier of the information specifically requests and is able to demonstrate to the satisfaction of the Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or proprietary information of the supplier. When requested by a user furnishing a report, the portions of a report which may disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the NPDES Permit, State Disposal System Permit or the Pretreatment Programs. However, portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the user or the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the Director as confidential shall not be transmitted to any governmental agency or to the general public by the Director until and unless a five day notification is given to the user.

Section 2. Wastewater Discharge Permits - Revocation

(a) Emergency Suspension of Service and Discharge Permits. The Director may for good cause shown suspend the wastewater treatment service and the Wastewater Discharge Permit of a user when it appears to the Director that an actual or threatened discharge presents an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, interferes with the operation of the POTW, violate any pretreatment limits imposed by this Ordinance

or any Wastewater Discharge Permit issued pursuant to this Ordinance. Any user notified of the suspension of the wastewater treatment service or the Wastewater Discharge Permit, shall within a reasonable period of time, as determined by the Director, cease all discharges. In the event of failure to comply voluntarily with the suspension order within the specified time, the Township may halt or eliminate immediately and effectively any such discharge and shall commence judicial proceedings immediately thereafter to compel compliance with such order. The Director and Township shall reinstate the permit and service and terminate judicial proceedings pending substantial proof by the user of the elimination of the non-complying discharge or conditions creating the danger.

(b) Revocation of Permit. In addition to all other remedies and enforcement provisions, the Director may revoke the permit of any user who fails to (a) accurately report the wastewater constituents and characteristics of a discharge; (b) report significant changes in wastewater constituents or characteristics; (c) grant reasonable access to the user's premises by representatives of the Director for the purpose of inspection or monitoring; or (d) comply with the conditions of the permit, any provision of this Ordinance, or any final judicial order entered with respect thereto.

(c) Notification of Violation - Administrative Adjustment. Whenever the Director finds that any user has engaged in conduct which justifies revocation of a Wastewater Discharge Permit, pursuant to subparagraph (b) hereof, the Director shall serve or cause to be served upon such user a written notice either personally or by certified or registered mail, return receipt requested, stating the nature of the alleged violation. Within 30 days of the date of receipt of the notice, the user shall respond personally or in writing to the Director, advising of its position with respect to the allegations. Thereafter, the Director and user shall meet and confer to discuss the allegations and where necessary, establish a plan for the satisfactory correction thereof.

(d) Show Cause Hearing. Where the violation is not corrected by timely compliance by means of administrative adjustment, the Director may order the user to show cause before the Township Board or a designee why the permit should not be revoked. A written notice shall be served on the user by personal service, certified or registered mail, return receipt requested, specifying the time and place of a hearing to be held by the Township Board or a designee regarding the violation, the reasons why the enforcement action is to be taken, the proposed enforcement action, and directing the user to show cause before the Township Board or a designee why the proposed enforcement action should not be taken. The notice of the hearing shall be served no less than ten days before the hearing. Service may be made on any agent, officer, or authorized representative of the user. The Township Board or a designee shall hold a hearing, consider evidence and then enter appropriate orders with respect to the alleged improper activities of the user. Appeal of such orders may be taken by the user to Circuit Court. The Circuit Court shall review such orders on the record to determine if they are supported by material, competent and substantial evidence. If the Court finds such support the orders shall be affirmed.

(e) Judicial Proceedings. Following the entry of any order by the Township Board with respect to the conduct of a user contrary to the provisions of this Ordinance, the Township may commence an action for appropriate relief in the Circuit Court.

(f) Enforcement Actions - Annual Publication. A list of all significant violations by users who were the subject of enforcement proceedings pursuant to Section 2 of this Ordinance during the twelve (12) previous months, shall be annually published by the Director in a newspaper in general circulation within the county summarizing the enforcement actions taken against the users during the same 12 months whose violations remained uncorrected 45 or more days after notification of non-compliance over that 12 month period, or which involve failure to accurately report non-compliance.

(g) Right of Appeal. Any user or any interested party shall have the right to request in writing an interpretation or ruling by the Director on any matter covered by this Ordinance and shall be entitled to a prompt written reply. In the event that such inquiry is by a user and deals with matters of performance of compliance with this Ordinance or deals with a Wastewater Discharge Permit issued pursuant hereto for which enforcement activity is pending relating to the subject of the inquiry, receipt of a request shall stay all enforcement proceedings pending receipt of the written reply.

Section 3. Monitoring and Pretreatment

(a) If any waters or wastewater are discharged, or are proposed to be discharged, into public sewers, which waters do or may contain the substances, possess the characteristics or exceed the limitations enumerated in this Ordinance or which in the judgment of the Director violate this Ordinance or cause deviation from the NDPES permit requirements, or other state and federal regulations or which otherwise create a hazard to life or constitute a public nuisance, the Director, in addition to all other enforcement remedies, may do one or more of the following upon written order of the Director:

1. Require pretreatment to an acceptable condition for discharge to a public sewer.
2. Require control over the quantities and rates of discharge to public sewers.
3. Require at the owner's expense a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the public sewer. Each monitoring facility shall be situated on the owner's premises, except where such a location would be impractical or cause undue hardship, the Director may concur with the facility being constructed in the public right of way or easement if it will not be obstructed or unduly limit the use of the right of way or easement. There shall be ample room in or near such monitoring facility to allow accurate sampling and

preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

4. Require the owner of any commercial or industrial property served by a building sewer to install at the owner's expense an inspection manhole in the building sewer. Such manhole shall be located to facilitate observation, sampling and measurement of the waste, and shall be in the right of way near the building property line. It shall be constructed and maintained in accordance with Township standards so as to be safe and accessible at all times. Authorized Township personnel shall have access to all manholes and private property for inspection and sampling.

5. Require payment to cover any additional costs the Township may incur in connection with inspecting, sampling, testing, handling and treating the wastes not covered by existing wastewater charges.

(b) If pretreatment or equalization of waste flows is required, the design and installation of the plants and equipment shall be subject to the review of the Director and subject to the requirements of all applicable laws, codes and ordinances. If pretreatment or flow-equalization facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation at the expense of the user.

(c) The Director may require that any private waste treatment facilities, process facilities, waste streams or any other potential waste problems be placed under the specific supervision and control of persons who have been certified by an appropriate state agency as qualified to supervise such facilities.

(d) The user who has installed corrective controls to meet discharge standards must notify the Director immediately when those controls are non-operational. A written report outlining all

aspects of the problem must be sent to the Director within five days.

(e) All requirements regarding the conditions and quantities of wastewater are to apply at the point where the wastewater is discharged into a public sewer and all chemicals and mechanical corrective treatment must be accomplished before this point is reached. All measurements, tests and analysis of the characteristics of waste waters shall be determined in accordance with the current edition of "Standard Methods of the Examination of Water and Wastewater", published by the American Public Health Association. Sampling shall be carried out by customarily accepted methods to reflect the affect of constituents upon the Wastewater Works and to determine the existence of hazards to health and property. The Director shall determine the method of sampling to be used.

(f) All standards, conditions, regulations and restrictions established in this ordinance shall be deemed to be the absolute minimum requirements. They are subject to review and revision of the Township for the protection of public health and safety. The discharge into any sewer in the Regional Wastewater Collection System which exceeds the limitations contained herein, or in any manner fails to conform, is hereby declared to be a public nuisance and a violation of this Ordinance. Future conditions may require stipulations and specifications by jurisdictional government agencies and subsequent reappraisal and modification of these regulations by the Township.

(g) No Township user shall increase the use of process water or attempt to dilute a discharge to substitute for adequate treatment to achieve compliance with the National Categorical Pretreatment Standards, alternative discharge limits, or any other pollutant-specific limitation developed by the Regional Wastewater Treatment Plant or state except upon prior written approval of the Director.

(h) Operating Upsets. Any permittee who experiences operations which causes temporary non-compliance with this Ordinance or a Wastewater Discharge Permit issued pursuant hereto shall inform the Director within 24 hours of first

awareness of the commencement of the upset. Where such information is given orally, a written follow-up report thereof shall be filed by the permittee with the Director within five days. The report shall specify:

1. Description of the upset, the cause thereof and the upset's impact on the user's compliance status.
2. Duration of non-compliance, including exact dates and times of non-compliance, and if the non-compliance continues, the time by which compliance is reasonably expected to occur.
3. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other conditions of non-compliance.

A documented and verified bona fide operating upset shall be an affirmative defense to any enforcement action brought by the Township against a user for any non-compliance with the Ordinance or any Wastewater Discharge Permit issued pursuant hereto, which arises out of violations alleged to have occurred during the period of the upset. To qualify as an "upset" the non-compliance must be: (a) non-recurrent in nature; (b) not reasonably foreseeable; and (c) the permittee must take immediate effective action to remedy the non-compliance and prevent its recurrence. The burden of establishing the foregoing factors shall be upon the user.

(i) The Township, with the approval of the City of Traverse City, may enter into a special agreement or arrangement with any non-domestic user whereby waste of unusual strength or character may be accepted by the POTW, subject to payment therefor. Additional payment will be required to cover the added costs of handling and treating the wastes. Surcharges required for excessive BOD, SS and phosphorus shall be computed by the Director. Where surveillance is required to (1) limit wastewater flows or (2) sample waste to insure compliance with this regulation, the user shall be billed for actual costs incurred by the City and the Township.

ARTICLE IV

Private Sewage Disposal

Section 1. Private Systems

Where a public sanitary sewer is not available under the provisions of Article II, Section 4, a building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

Section 2. Permit

Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Local Health Department. The application for such a permit shall be made on a form furnished by the Local Health Department, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Local Health Department.

Section 3. Construction

Construction of a private sewage disposal system shall comply with the plans and specifications therefor approved by the Local Health Department. Officials of the Department shall be allowed to inspect the work at any stage of construction which shall not be deemed to be completed until final approval thereof is given by the Department.

Section 4. Abandonment

At such time as a public sanitary sewer becomes available to a property served by a private sewage disposal system, as provided in Article II, Section 4, a direct connection shall be made to the public sanitary sewer in compliance with this Ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned after pumping, crushing and filling with suitable material.

Section 5. 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.

Section 6. Additional Requirements

No provision contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Local Health Department with respect to the construction, maintenance and operation of private sewage disposal systems.

ARTICLE V

Building Sewers and Connections

Section 1. Permits

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 Director.

Section 2. Two Classes

There shall be two (2) classes of building sewer permits: (1) for domestic service and (2) for non-domestic service. In either case, the owner or his agent shall make application on a special form furnished by the Director. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director. Permit and inspection fees shall be established from time to time by the Township. Such fees shall be paid prior to issuance of a permit. A permit shall be valid for a period of one year from the date of issuance. Upon application approved by the Director, a permit may be renewed for any additional one-year period. Installation shall be completed during the period the permit is valid.

Section 3. Expenses

All costs and expense incidental to the installation, connection and maintenance of a building sewer shall be borne by the owner. The owner or contractor installing or maintaining a building sewer shall indemnify the Township, the Director and the County D.P.W. from any loss or damage that may directly or indirectly result from the installation or maintenance of the building sewer.

Section 4. Separate Sewers

A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no public sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, easement or driveway, the Director with the approval of the County D.P.W. and the Township may permit the building sewer to be extended to the rear building and the whole considered as one building sewer, upon terms and conditions to be established by the Director.

Section 5. Old Sewers

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Director, to meet all requirements of this Ordinance.

Section 6. Construction Requirements

Building sewers and connections thereof to the public sanitary sewer shall meet the following requirements:

(a) No commercial or industrial building sewer shall be less than six inches in diameter.

(b) No residential building sewer shall be less than four inches in diameter.

(c) Except as provided in paragraph (d) below, building sewers and connections thereof to the public sewer shall be

constructed of the following materials:

1. PVC schedule 40 with chemical weld joint or elastomeric gasket joints.
2. ABS SDR 23.5 extra strength pipe with chemical weld joint.
3. Cast iron with rubber O-Ring joint.

(d) Building sewers and connections thereof to the public sewer lying within 75 feet of a private water well or 200 feet of a municipal water well shall be constructed of special materials as specified by the Michigan Department of Health.

(e) A building sewer shall be laid at a uniform grade. The slope of a building sewer shall be not less than one-quarter inch per foot (2%) for four inch pipe and not less than one-eighth inch per foot (1%) for six inch pipe.

(f) A building sewer shall have a minimum cover of 3 feet, except that under driveways, parking lots or traffic areas the minimum cover shall be 5 feet. Nonconforming installation may be approved by the Director where special conditions exist. The Director, in approving such installations, may require special construction techniques or materials.

(g) Connections to the public sewer shall be made only where wyes or risers are provided in the line. If a wye or riser is not available, the building sewer connection shall be subject to approval by the Board of Public Works and installed with approval fittings by a licensed plumber. The Director may require that the licensed plumber making the installation post a performance bond and provide liability insurance in amounts as determined by the Director. All costs in connection therewith shall be borne by the applicant.

(h) A building sewer line shall be straight, with any change in alignment subject to approval by the Director. Only long radius elbows shall be used for changing alignment of building sewers.

(i) Cleanouts on long building sewers shall be installed at approximately 75 foot intervals and at locations where alignment is changed, if required by the Director.

(j) Where different pipe materials are to be joined together only manufactured adapters made for that purpose shall be used.

(k) Where rock or hard clay excavation is required, a six inch sand or gravel cushion shall be placed around the pipe.

(l) Connection of a building sewer into the public sewer shall conform to the requirements shown in Figure 1 below or as set forth in the applicable specifications of the American Society of Test Materials and the Manual of Practice No. 9 of the Water Pollution Control Federation. All connections shall be made gas tight and water tight. Any deviation from the procedures and materials set forth herein may be made only with the approval in writing of the Director before installation.

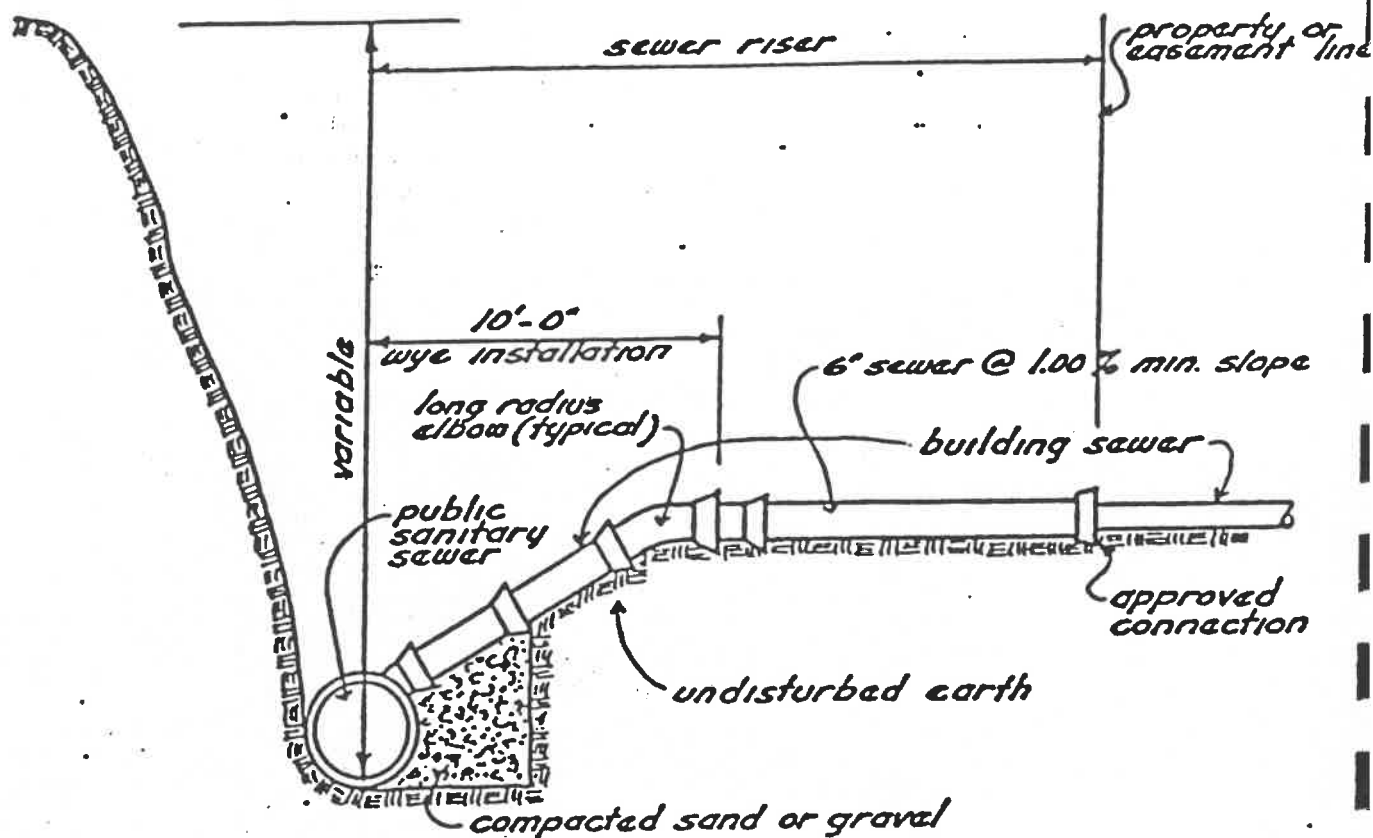


Figure 1

Section 7. Inspection Manholes

All commercial and industrial properties shall have an inspection manhole on any building leads that connect to the public sewer system. Such manhole shall be located just inside the property line and as a minimum have a 4-foot inside diameter with the inflow pipe at least 1 foot higher than the outflow pipe.

Section 8. Separators

Grease, sand and oil separators shall be required on all building sewers where wastewater which may contain grease, sand or oil is to be discharged into a public sewer. Such separators shall meet standards established by the Director.

Section 9. Elevations

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

Section 10. Storm Water

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

Section 11. Inspections

The applicant for a building sewer permit shall notify the Director at least 24 hours prior to the time that the building sewer is ready for inspection and connection to the public sewer. The entire building sewer shall be left uncovered until inspected and the connection shall be made under the supervision of the Director.

Section 12. Excavations

All excavations for building sewers shall be adequately guarded with barricades and lights for the protection of the public. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored as near as practicable to the original condition.

Section 13. Abandoned Sewers

Abandoned or discontinued building sewers shall be bulkheaded, capped or sealed in a manner to prevent leakage of liquids or gasses therefrom. The work shall be subject to inspection by the Director. All costs shall be the owner's. In the event that an owner refuses or fails for any reason adequately to bulkhead, cap or seal an abandoned or discontinued building sewer, the Township after notice to the owner by ordinary or certified mail may cause the work to be completed. All costs incurred by the Township shall be a lien upon the property and shall be assessed against the real property on the next succeeding Township tax roll.

ARTICLE VI

Design and Construction Requirements
for Sewage Collection Systems

Section 1. General

(a) All plans for additions to, or the extension or relocation of, the Township sanitary sewer system that require a permit for construction from the Michigan Department of Natural Resources shall first be approved by the Township.

(b) No additions to or extensions or relocations of the Township sanitary sewer system shall be placed in service and no building drain connections shall be made thereto until satisfactory test results have been received by the Township and the addition, extension, or modification has been approved by the Township. Such approval shall be conditioned on the submission of "as built" plans to the Township within 90 days after the date of the approval.

(c) Any sanitary sewer, meeting requirements applicable to public sewers, which services two or more separate buildings or dwellings shall be deemed a public sewer, unless the buildings are part of a singly owned industrial or commercial complex or a public complex where future division of ownership is not anticipated.

(d) Combined sewer systems shall not be permitted.

Section 2. Design Flows

(a) Sanitary sewer systems shall be designed on the basis of an average flow which shall include not less than one hundred (100) gallons per capita per day and the estimated flow from unusual industrial or commercial sources.

(b) Generally, sanitary sewers shall be designed to carry, when running full, not less than the following peak flows:

1. Lateral sewers - 400% of average daily flow.

2. Trunk sewers - 250% of average daily flow.

(c) When deviations from the foregoing per capita rates are requested, a description of the procedure used for sewer design shall be included.

Section 3. Public Sanitary Sewers

(a) Materials used in the construction of sanitary sewers shall be of recognized good quality and shall be adapted to local conditions, such as character of industrial wastes, possibility of septicity, soil characteristics, exceptionally heavy external loadings, abrasion and similar problems.

(b) Sewers and forcemains lying within 75 feet of a private water well, or within 200 feet of a municipal water well, shall be constructed of special materials as specified by the Michigan Department of Public Health.

(c) Sewer joints and materials shall be designed to eliminate infiltration and to prevent the entrance of roots. All joints shall be of premium quality.

(d) Based on items "a" and "c" above, or on other pertinent data, the Township may reject any type of sewer pipe or joint in any project whose sewage is proposed to be processed by the sewage

treatment facilities provided by the Township.

(e) A bulkhead shall be installed at each outlet to an existing system, and shall not be removed until the new sewer system has been accepted by the Township.

(f) General Design:

1. Sanitary sewers shall be a minimum of 8" in diameter.

2. Sanitary sewers shall be designed for mean velocities when flowing full, of not less than 2.0 feet per second, based on Kutter's formula using a "n" value of 0.013. Use of other "n" values may be permitted by the Township if deemed justifiable on the basis of research or field data presented.

3. Sanitary sewers shall be designed with a uniform slope and direction between manholes.

4. When a smaller sewer joins a larger one, the invert of the larger sewer shall be lowered at least enough to maintain the 0.8 depth point of both sewers at the same elevation.

5. Where velocities greater than 12 feet per second are anticipated, special provisions may be required to protect against scouring and thrust displacement.

6. All sanitary sewer systems shall be designed so as to limit infiltration to less than 100 gallons per inch of pipe diameter per mile per day or as determined by the Township.

7. Sanitary sewers shall be sufficiently deep so as to prevent freezing. The minimum shall be 5 feet without insulation.

8. All sanitary sewer shall be constructed of the following pipe:

(a) 8" to 24" PVC with a minimum wall thickness rating of SDR 35. ABS with a

minimum wall thickness as designated in ASTM D2680.

(b) Over 24" reinforced concrete C 76-V.

9. Sanitary sewer pipe strength requirements are as tabulated below:

SEWER STRENGTH CLASSIFICATION

SATURATED CLAY

Sewer Depth (ft.)	3-8	8-12	12-16	Over 16
ABS Composite Pipe (8" to 24")	Std.	Std.	Std.	Std.
PVC Sewer Pipe (8" to 24")	Std.	Std.	Std.	Std.
Reinforced Concrete (Above 24")				**

DRY SAND

Sewer Depth (ft.)	3-8	8-12	12-16	Over 16
ABS Composite Pipe (8" to 24")	Std.	Std.	Std.	Std.
PVC Sewer Pipe (8" to 24")	Std.	Std.	Std.	Std.
Reinforced Concrete (Above 24")				C 76-V

Sewer depths of less than three feet require special treatment as directed by the Township.

MDOT Class B. Bedding and backfill required on all installations.

**Specified for use only under direct supervision of the Township.

Section 4. Manholes

(a) Manholes shall be installed at the end of each line, at all changes in grade, type of pipe, size, alignment, at all intersections, and at distances not greater than 400 feet. On the ends of short lines which will be extended, a cleanout

in lieu of a manhole may be provided with the approval of the Director.

(b) A standard drop connection shall be provided for a sewer whose invert is at an elevation of 24 inches or more above the manhole invert. Drops of less than 24 inches shall have a partial channel and paved slope of not greater than 70 percent.

(c) The minimum inside of diameter of manholes shall be 48 inches.

(d) Only solid watertight manhole covers are to be used. Where venting is required, vent pipes shall be installed. In areas of intermittent surface water (ditches, low lands, shorelines, etc.) bolted covers shall be required.

(e) The flow channel through manholes shall be full depth and made to conform in shape and slope to that of the sewers.

(f) All manholes shall be precast sections and watertight.

1. Manholes shall have approved premium joints and rubber waterstops.

2. Manholes shall be waterproofed on the exterior with a bituminous waterproof coating. In some cases an approved interior waterproofing may also be required.

(g) Three inch manhole adjustment rings shall be installed on all manholes within paved areas.

Section 5. Pumping Systems

(a) All pump stations and lift stations shall conform to good engineering design and standards. The Director may require that certain types of equipment or materials be utilized to provide for system uniformity.

(b) All pumping systems shall be equipped with an approved self-cleaning recording totalizing flowmeter, high and low level wet well alarm, water in the dry well or pump seal failure alarm, telephone line failure alarm, pump failure alarm, telemetering to the sewage treatment plant and

receiving and recording equipment at the plant.

(c) An emergency power supply connection receptical for pumping stations shall be required. Emergency power supply may be required by connection of the station to at least two (2) independent public utility sources, or by provision of in-place internal combustion engine equipment which will generate electrical or mechanical energy, or by the provision of portable generating equipment.

(d) Spare Parts

1. Submersible pump station will include an extra pump and spare set of transmitters and receivers for telemetering.

2. Dry well station shall include a set of impellers and a spare set of transmitters and receivers for telemetering.

Section 6.

Force Mains

(a) At design minimum flow, a cleansing velocity of at least 2 feet per second shall be maintained.

(b) An automatic air relief valve shall be placed at high points in the force main to prevent air locking.

(c) Force main cleanouts shall be provided at intervals of about 1,000 feet.

(d) A velocity reducing device may be required at the juncture of the force main with the gravity sewer.

(e) All 90 degree bends shall be long radius elbows.

Section 7.

Testing

(a) Sanitary Sewer Systems

1. Leakage tests shall be specified. This may include appropriate water or low pressure air testing. The leakage outward or inward (exfiltration or infiltration) shall not exceed 100 gallons per inch of pipe diameter

per mile per day for any section of the system, or as required by the Township.

2. All sewer lines shall be televised when completed. Videotape in Beta (or other format as provided by the Director) of the sewer line shall be submitted to the Director. Tests and/or television inspection shall be witnessed by the Director. Satisfactory results shall be obtained prior to permitting any building sewer connections.

(b) Pumping Systems. Tests shall be conducted to verify performance curves of each pumping device installed in the system.

Section 8. Plans

(a) Five (5) sets of plans shall be submitted to the Township for all proposed public sanitary sewage collection systems, additions thereto and modifications or relocations thereof. Plans that are completed to the satisfaction of the Township shall be transmitted by it to the Michigan Department of Natural Resources for a construction permit.

(b) The following data shall be incorporated in the plans:

1. A location map indicating the 1/4 section in which the project is located.

2. When more than one sheet is required for the plans, a small scale overall plan shall be shown.

3. Each set of plans shall bear the embossed seal of the engineer who is responsible for the plans.

4. Two bench marks shall be shown on each plan sheet.

5. Existing utilities shall be shown on plans and profile.

6. All existing sewer inverts must be field measured and shall be so designated on the plans.

7. A profile including inverts, top of casting grades, gradient, length and drop connections shall be shown for each run of sewer or force main.
8. Proposed and existing elevation of curb or road, or ground above the sewer shall be shown on the profile. Where the difference in elevation between the road grade and sewer invert is less than 7.0 feet, basement elevations should be indicated on the plans.
9. The locations of stoppers and bulkheads shall be indicated on the plans.
10. Manholes shall be numbered on plans and profile according to Township systems.
11. An allowable type of pipe, joint and stoppers for public and building sewers shall be indicated on the plans and in the specifications.
12. An easement shall be designated on the plans for each run of public sanitary sewer not in a public right-of-way. The minimum easement shall be fifteen (15) feet wide, or as required by the Township.
13. The following notes shall appear on the plans:
 - "a. All construction and materials shall conform to the Township's current standards, specifications and details.
 - b. No connection receiving storm water or ground water shall be made to sanitary sewers.
 - c. Infiltration for any section of sewers between manholes shall not exceed 100 gals./inch dia./mile/24 hours.
 - d. All elevations shall be based on USGS or NGVD Datum."
14. Details of pipe bedding, building sewers, drop connections, bulkheads, manholes, manhole covers, and other appurtenances shall

be submitted with the plans as required by the Director.

15. The Director shall establish, with the approval of the Township, such construction details and specifications as he deems necessary to facilitate the administration of this Ordinance.

Section 9. Existing Systems

(a) Alterations to Existing Systems.

1. General: No work shall be performed on existing public sanitary sewer systems which would change the capacity of the system or would result in non-conformity with these regulations, except by written permission of the Township.

2. Manholes: When it is necessary to excavate adjacent to manholes or similar structures, the excavation shall extend around the entire perimeter, except by permission of the Township.

(b) Approval of existing systems as public sanitary sewer systems.

1. Sanitary sewer systems not having been previously approved as public sanitary sewers may be accepted as such sewers provided they meet all general requirements of this Ordinance.

2. Before acceptance of existing systems as public sanitary sewers, the Township shall cause such tests on the system as it deems necessary. Television inspection of the system may be required. All costs of performing such tests shall be borne by the owner of the facility.

ARTICLE VII

Powers and Authority of Inspectors

Section 1. Observation

The duly authorized employees and agents of the Township after showing proper credentials and identification shall be permitted to enter upon all properties in the Township for the purposes of inspection, observation, measurement, sampling, and testing of sewage flows in accordance with the provisions of this Ordinance.

Section 2. Inspections

The Director, or the authorized representative of the Director, is empowered to enter at all reasonable times upon and into any premises, building or structure for the purpose of examining and inspecting the same, to ascertain the condition thereof with regard to sewer construction, use or wastewater discharge.

Section 3. Hold Harmless

While working on private premises within the scope of their authority, the Township and duly authorized representatives and employees of the Township shall be held harmless by the owner of said premises for negligence causing damage, injury or death.

ARTICLE VIII

Penalties

Section 1. Notice

Any person found to be violating any provision of this Ordinance, except the provisions of Section 3 of this Article VIII, shall be served by the Director with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2. Misdemeanor

Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article, shall be guilty of a misdemeanor. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 3. False Statement

Any person who shall intentionally make a false statement, representation or certification in an application for a permit or in any report or statement of information required under this Ordinance, or who with intent to deceive shall render inaccurate a monitoring device required to be maintained under this Ordinance, shall be guilty of a misdemeanor.

ARTICLE IX

Authority to Contract

Section 1. Other Units

The Township may, from time to time, by written agreement, contract with other units of local government to carry out the services and assume the obligations required by this Ordinance. Such services may include, but shall not be limited to, inspection of facilities and construction work, issuance, amendment and revocation of permits, and maintenance of Township sewers and appurtenances.

Section 2. D.P.W.

The duties and responsibilities of the Township hereunder (except as to the establishment of rates and fees, the enforcement by legal action of this Ordinance, and such other matters expressly reserved to the Township) are hereby delegated to the Grand Traverse County Board of Public Works. This delegation may be terminated or altered from time to time by written notice to the Board of Public Works. The Board of Public Works is expressly authorized to enter into agreements from time to time with the City of Traverse City to assist in the administration of this Ordinance subject to the approval of the Township.

ARTICLE X

Civil Remedies

Section 1. Treatment Charges

Any person who in violation of Section 1 of ARTICLE II of this Ordinance shall discharge into the public sanitary sewer in the Township any storm or other uncontaminated or unpolluted waters as specified in said Section shall be liable for the cost of sewage treatment of the volume of such waters estimated to have been unlawfully discharged into the sanitary sewer. The annual charge for treatment of storm waters, ground water, roof runoff and subsurface drainage shall be based on the drainage area and rainfall records and the actual cost of sewage treatment.

Section 2. Damages

The Township shall have the right to recover the full value of any losses, costs or damage resulting from any violation of this Ordinance in a civil action in a court of competent jurisdiction.

Section 3. Injunction

In addition to all other penalties and remedies for the violation of any provision of this Ordinance, the Township may commence an action in the circuit court for Grand Traverse County for mandatory injunction to restrain the violation.

ARTICLE XI

Validity

Section 1. Repealer

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 2. Validity

The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance

which can be given effect without such invalid part or parts.

ARTICLE XII

Effective Date

Section 1. Passage by Township Board

This Ordinance was passed by the Township Board of the Township of Peninsula, Grand Traverse County,

date indicated: *August 11, 1987* on the

Peninsula Township

Mary K. Belding

Section 2. Effective Date

This Ordinance shall take effect 30 days after publication pursuant to MSA 5.6(1).

HAROLD J. McMANUS, JR., Supervisor
MARY K. BELDING, Clerk
Peninsula Township
Passed by the Town Board on:

Prepared in the Law Offices of:
Running, Wise, Wilson, Ford and
Phillips

By: William L. Wise
Township Attorneys

Business Address:

326 E. State Street

P.O. Box 686

Traverse City, MI 49684

TO THE RECORD EAGLE:

Please publish on:

Please send affidavit to:

William L. Wise

Please send bill to:

Mrs. Mary K. Belding
Peninsula Township Clerk
17630 Smokey Hollow Road
Traverse City, Michigan 49684

RECEIVED BY THE RECORD EAGLE:

Date: _____

Time: _____

By: _____