

CALHOUN COUNTY SANITATION CODE

CHAPTER I - GENERAL PROVISIONS

1.0 - AUTHORITY AND ADMINISTRATION

1.1 AUTHORITY

The regulations imposed by this code are adopted pursuant to the authority vested in the Calhoun County Board of Commissioners by the Michigan "Public Health Code", Act 368 of Public Acts of 1978, being Sections 333.1101-333.25211 of Michigan Compiled Laws, as amended, and the "Thomas J. Anderson, Gordon Rockwell Environmental Protection Act of 1970", Act 127 of the Public Acts of 1970, being Sections 691.1201-691.1207 of the Michigan Compiled Laws, as amended.

1.2 PURPOSE

This code regulates the installation and maintenance of private, and certain public sewage systems where no municipal sewage facility is available; establishes minimum criteria for such installation; establishes fees for certain services; provides certain maintenance of housing and property; provides penalties for the violation of this code. This code is for the express purpose of protecting the health, safety and welfare of the people of Calhoun County.

1.3 JURISDICTION

This code shall have jurisdiction throughout Calhoun County, including all cities, villages and townships, in the administration and enforcement of these regulations, including all regulations or amendments hereafter adopted unless otherwise specifically stated. Nothing herein contained shall be construed to restrict or abrogate the authority of any municipality in the county to adopt more restrictive ordinances or the renewal or revocation thereof or to charge and collect a fee thereof; provided, that whenever inspection relation to health or sanitation is required, no municipality shall issue or renew a license without first having obtained written approval from the Calhoun County Health Department indicating compliance with the requirements of this code.

1.4 ENFORCEMENT

It shall be the duty and responsibility of the Health Officer of Calhoun County to enforce the provisions of this code throughout Calhoun County.

1.5 RIGHT OF ENTRY AND INSPECTION

When a Health Officer has a reasonable cause to believe a person is violating this code she/he may inspect the premises at a reasonable time. The Health Officer shall receive consent from the person or obtain inspection warrant or a judicial order in the form of a search warrant for entry into premise for inspection, collection of samples for testing. No person shall refuse to permit the Health Officer to inspect any premise at reasonable times, nor shall any person molest or resist the Health Officer in the discharge of his/her duty.

1.6 NOTICE OF VIOLATION

Whenever the Health Officer determines that there has been or is a violation, or that there are reasonable grounds to believe that there has been or is a violation of any provisions of this code, she/he shall give notice of such violation or alleged violation to the person(s) responsible therefor. Notice shall be in writing; include a description of the property; specify the violation which exists and remedial action required to correct the situation; and allow a reasonable time to correct the violation.

1.7 INTERFERENCE WITH NOTICES

No person shall remove, mutilate or conceal any notice or placard of the Health Officer except by permission of the Health Officer.

1.8 INJUNCTIVE PROCEEDINGS

Notwithstanding the existence or pursuit of any other remedy, the Health Officer may maintain in a court of competent jurisdiction an action for an injunction or other process against any person to restrain or prevent violations of this code.

1.9 ABATEMENT OF NUISANCE

Nothing stated in this code shall be construed to limit the power of the Health Officer to order the immediate and complete abatement of a nuisance or menace to the public health.

1.10 PROSECUTION OF VIOLATION

In case any violation is not promptly corrected, the Health Officer may request the Calhoun County Prosecuting Attorney to institute an appropriate proceeding at law or in equity against the person(s) responsible for the violation.

1.11 PENALTY

- a) Criminal - If any person shall violate the provisions of this code or any part thereof, she/he shall be deemed guilty of a misdemeanor and/or upon conviction thereof shall be punished by a fine not exceeding the sum of \$200.00 and/or

imprisonment in the county jail not exceeding six (6) months, at the discretion of the courts. Every twenty-four (24) hours said person permits any conditions in violation of the provisions of this code to continue after such conviction shall be deemed an additional offense against the provisions of this code.

- b) Civil - The Health Officer may issue a citation within ninety (90) days of the discovery of an alleged violation of the provisions of this code. The citation shall be written and shall state with particularity the nature of the violation, including reference to the Section, Rule, Order or Code alleged to have been violated. The citation shall include a monetary civil penalty of not more than \$1000.00 for each violation or day that the violation continues. The citation shall also include the alleged violator's right to appeal the citation pursuant to Chapter II, Section 1 of this code.

1.12 PENALTY/LATE FEE SCHEDULE

The Board of Health may set a fee schedule that imposes an additional penalty fee, based on extra costs, on persons who fail to meet certain provisions of this code. This shall include, but not be limited to, permits where construction is started prior to application, or the person, owner, occupant or installer fails to follow the requirements of this code. The amount of the fee is listed in the Health Department Fee Schedule. (Appendix A).

1.13 FEE SCHEDULE

A schedule of fees for licenses, permits, certification and other services required by this code shall be adopted from time to time by the Calhoun County Board of Commissioners, pursuant to Act 368, P.A. 1978, Part 24, Sec. 2444 (1), as amended. Fees shall be made payable to the Calhoun County Health Department.

1.14 HANDLING OF FEES

All fees collected by the Health Officer shall be receipted for and be deposited with the Treasurer of Calhoun County to be credited to the Health Fund.

1.15 AMENDMENTS

The Board of Commissioners of Calhoun County may from time to time amend, supplement or change the regulations in a manner allowed in Chapter 1, Sec. 1.1.1 AUTHORITY.

1.16 VALIDITY

If any section, subsection, clause or phrase of this code is for any reason adjudged

unconstitutional or invalid, it is hereby provided that the remaining portions of this code shall not be affected thereby.

1.17 CONFLICT OF ORDINANCES

Where any of the provisions of this code and the provisions of any local or state ordinances apply, the more restrictive of any or all ordinances or regulations shall prevail. This code is supplemental to the rules and regulations duly enacted by the Michigan Department of Public Health and to laws of the State of Michigan relating to public health.

1.18 FILING OF AFFIDAVITS

Where a vacant parcel of land is found to be totally unsuitable for on-site sewage disposal effluent; or where adequate, safe and sanitary water supply is not available; or where, on a parcel of land in which one (1) or more habitable buildings are present and it is found that the structure, including the water supply or sewage disposal facilities, are not suitable and, in the opinion of the Health Officer, may pose a threat to the health and welfare of the community, the Health Officer may file a sworn affidavit with the Register of Deeds, to be recorded on the property abstract, listing such conditions.

2.0 - GENERAL DEFINITIONS

2.1 BOARD OF HEALTH

The term "Board of Health" shall mean the Board appointed by the Calhoun County Board of Commissioners.

2.2 HEALTH DEPARTMENT OR DEPARTMENT

The term "Health Department" or "department" shall mean the Calhoun County Health Department.

2.3 HEALTH OFFICER

The term "Health Officer" shall mean the medical or the non-medical director of the Calhoun County Health Department and/or his/her authorized representative.

2.4 BOARD OF APPEALS

In order to provide for reasonable and equitable interpretations of the provisions of this code, there is thereby created an "Appeals Board". The Calhoun County Board of Health shall constitute the Appeals Board and shall hear any appeal presented in accordance with the rules and procedures of this code.

2.5 PERSON OR PERSONS

The term "person" or "persons" shall mean any individual, firm, partnership, party, corporation, company, group, society, association or other legal entity.

2.6 OWNER

The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, lessee or other person, firm or corporation in control of a building or of premises, or their duly authorized agents.

2.7 OCCUPANT

Any person over one year of age (including owner or occupant) living and sleeping in a dwelling unit or having actual possession of said dwelling or rooming unit.

2.8 APPROVED

Approved as applied to a material, device or method of construction shall mean approved by the Health Officer under the provisions of this code or approved by other authority designated by law to give approval in the matter in question.

2.9 ACCEPTED

"Accepted" means that the Health Officer is knowledgeable and agreeable to the materials, device or method of construction where it is not possible to meet the provisions of this code.

2.10 SHALL AND MAY

"Shall" means mandatory, or required.

"May" means at the discretion of the Health Department.

2.11 PERMIT

The term "permit" means a written permit issued by the Health Officer permitting the construction of a sewage disposal system or water supply under this code.

2.12 LOCAL HEALTH DEPARTMENT GOVERNING ENTITY

The phrase "local health department governing entity" shall mean the Calhoun County Board of Commissioners.

2.13 SEWAGE DISPOSAL INSTALLER REGISTRATION

The term "registration" means that a sewage system installer has signed the registry of this Health Department certifying to the knowledge of and adherence to these county regulations in the installation of sewage systems.

2.14 NUISANCES

A condition or effect, dangerous or detrimental, or a hazard to the public health or safety to the public, which is likely to cause injury, sickness, death, or pollution.

2.15 MENACE

A condition that threatens to cause harm or possible threat to imperil the safety of the public health in a dangerous manner.

2.16 BURIED TANK

"Buried tank" means any container that is buried in the ground and used to store liquids underground.

CHAPTER II - APPEALS, APPROVAL, ADOPTION

1.0 - APPEALS

1.1 RIGHT OF APPEAL

Any person shall have the right to appeal the decisions of the officials charged with the enforcement of this code.

1.2 APPEAL BOARD

The Appeal Board shall consist of the Calhoun County Board of Health and a well driller or sewage disposal installer representative, depending who it may predominantly affect.

1.3 PROCEDURE

- a) Appeals of the decisions of the Health Officer charged with the enforcement of this code shall be made to the Board of Appeals within thirty (30) days after the date of the decision.
- b) The appellant shall file any appeal in writing with the Health Officer with a copy to the sanitarian. The appeal shall specify the grounds upon which the appeal is made, and a proposed alternative to the decision.

- c) The appellant shall deposit a **non refundable** fee when the appeal is submitted to the Health Officer. The fee may be refunded after the appeal hearing at the discretion of the Appeal Board. Any refund shall be made on the circumstances and facts of the appeal. The amount of the fee shall be stated in the Health Department Fee Schedule.
- d) The appeal shall be heard by the Appeal Board within thirty (30) days of receipt of the appeal and due notice given to interested parties. The Board of Appeals must rule on all appeals within thirty (30) days and the final disposition shall be based on a simple majority resolution of the Board. The Board of Appeals may grant individual variances from the requirements of this code when said Board has adequately determined that all of the following conditions exist: (1) that no substantial health hazard or nuisance is likely to occur therefrom; (2) that strict compliance with the code would result in unreasonable hardship or infringe on religious beliefs; (3) that no state statute or other applicable laws would be violated by such variance; and (4) that the proposed variance would provide essentially equivalent protection in the public interest.
- e) A written decision of the Appeal Board, promulgated to the appellant and the health officer, shall be a final determination of the matter by the Calhoun County Health Department. The decision of the Board of Appeals may be reviewed by action in Circuit Court pursuant to law.
- f. Once a final decision is rendered, and the decision is allowed to stand, a change of ownership of the property shall not constitute a basis for a redetermination by the Calhoun County Health Department or for appeal to the Appeal Board.

2.0 - REPEAL OF OTHER ORDINANCES AND REGULATIONS

- 2.1 All ordinances and/or regulations or parts thereof inconsistent with this code are hereby repealed.

3.0 - ADOPTION EFFECTIVE DATE

- 3.1 The adoption of this code and any amendments hereafter and effective date shall be pursuant to Act 368, P.A. 1978 as amended, Article 2 Part 24, Section 2441. (1) The regulations shall become effective forty-five (45) days after approval by the local health department governing entity or at a time specified by the local health department governing entity.

CHAPTER III - HOUSING

1.0 - SCOPE

1.1 MATTERS COVERED

The provisions of this chapter shall apply to all structures, premises, including trailers and mobile homes, which are not or may become substandard with respect to conditions that may be deemed to constitute a menace to the health, safety or welfare of their occupants and/or the general public.

1.2 APPLICATION

This chapter shall apply throughout the county except that a city, village or township may elect to exempt itself by adopting and enforcing similar standards.

2.0 - DEFINITIONS

2.1 **ASHES:** residue from the burning of combustible materials.

2.2 **BASEMENT:** a portion of the building partly under ground, but having less than half its clear height below the average grade of the adjoining ground.

2.3 **CELLAR:** the portion of the building partly under ground, having half or more than half of its clear height below the average grade of the adjoining ground.

2.4 **CLEAN:** free of dirt, foreign matter; free of refuse; free of rubbish, fecal material, organic waste.

2.5 **DWELLING:** any house, building, structure, tent, watercraft, shelter, mobile home, vehicle or portion thereof (except railroad cars on tracks on a railroad right-of-way) which is occupied or adopted in whole or in part as a home, residence or living and sleeping place for one or more human beings either permanently or transiently.

2.6 **DWELLING UNIT:** a building or portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.

2.7 **EXTERIOR:** the open space on the premises and on adjoining property under the control of owners, occupants or operators of such premises.

2.8 **EXTERMINATION:** the control and elimination of insects, rodents, vermin or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food; by poison spraying, fumigating, trapping, or by any other approved pest elimination methods.

2.9 **GARBAGE:** the animal and vegetable waste resulting from the handling,

preparation, cooking and consumption of food.

- 2.10 **HABITABLE:** a room or enclosed floor space arranged for living, eating and sleeping purposes (not including bathroom, water closet compartment, laundries, pantries, foyers, hallways or other accessory floor spaces).
- 2.11 **INFESTATION:** the presence within, or contiguous to, a structure or premise of insects, rodents, vermin or other pests.
- 2.12 **MOBILE HOME:** a trailer or a single family manufactured living unit which is transported to a site as one (1) or more modules, any of which is so constructed as to permit occupancy as a dwelling or sleeping place by one (1) or more persons.
- 2.13 **OCCUPANT:** any person over one year of age (including owner or operator) living and sleeping in a dwelling unit or having actual possession of said dwelling or rooming unit.
- 2.14 **OPERATOR:** any person who has charge, care or control of a structure or premise which is let or offered for occupancy.
- 2.15 **OWNER:** the freeholder of the premise or lessor therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, lessee, a firm or corporation in control of a building or of premises or their duly authorized agents.
- 2.16 **PERMISSIBLE OCCUPANCY:** the maximum number of persons permitted to reside in a dwelling or rooming unit. Every dwelling unit shall contain minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant and one hundred (100) square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.
- 2.17 **PLUMBING OR PLUMBING FIXTURES:** water heating facilities, water pipes, garbage disposal units, waste lavatories, bathtubs, bidets, shower baths, installed clothes washing machines, water filters or other similar equipment, catch basin, drains, vents or other similarly supplied fixtures, as well as all connections to water, gas, sewer or vent lines.
- 2.18 **PREMISES:** a lot, plot or parcel of land including the buildings or structure thereon.
- 2.19 **POTABLE WATER:** water which is wholesome and free from impurities that may cause disease or harmful physiological effects such that the water is safe for human consumption.
- 2.20 **HARBORAGE:** any place where rodents, vermin or insects can live, nest, breed or seek shelter.

- 2.21 **REFUSE:** solid waste, except body waste, and includes garbage, rubbish, ashes, street sweepings, solid industrial or commercial wastes.
- 2.22 **REFUSE CONTAINER:** a water-tight container that is constructed of metal, plastic or other durable material impervious to insects, rodents and other animals. Covers or lids shall be tight-fitting.
- 2.23 **RUBBISH:** combustible and non-combustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, plastic, tree branches, yard trimmings, tin cans, mineral matter, glass, crockery and dust, and other similar materials.
- 2.24 **SAFETY:** the condition of being free from danger and hazards which may cause accidents or disease.
- 2.25 **SANITARY CONDITION:** condition that affects health or measures for guarding against infection or disease.
- 2.26 **STRUCTURE:** anything constructed or erected, the use of which required location on the ground or attached to something having location on the ground.
- 2.27 **SUPPLY, SUPPLIED:** installed, furnished or provided for use by the owner.
- 2.28 **VENTILATION:** the process of supplying and removing air by natural or mechanical means to or from any room or space.
- 2.29 **YARD:** an open area unoccupied space on the same lot with a building, extending along a street, or rear or interior lot line.
- 2.30 **WATER HEATER:** an approved mechanical device designed to heat water for bathing and sanitary purposes.
- 2.31 **SEASONAL DWELLING:** a dwelling that is occupied for three months or less during the year.

3.0 - RESPONSIBILITIES OF OWNERS AND OCCUPANTS

3.1 OCCUPANCY

No owner or occupant shall occupy or let to another person any dwelling or dwelling unit unless the premises are maintained in a clean and sanitary condition and which complies with all the provisions of this code.

No owner shall rent, let, or permit to occupy any dwelling or dwelling unit premise that is contaminated with chemicals or illicit drugs or residuals thereof. It shall be the owner's responsibility to vacate the premise and immediately remediate any dwelling/dwelling unit or premise of any contamination.

In the event the dwelling, dwelling unit or premise is contaminated and cannot be abated, the dwelling, dwelling unit or premise may be deemed unfit for habitation and condemned and ordered razed by a Michigan licensed demolition contractor, or burned, at the property owner's expense.

Any and all tests performed for chemicals or drugs shall be performed by an EPA, State of Michigan certified/approved laboratory. Any work performed on the dwelling unit shall be performed by a federal or Michigan licensed hazardous waste handler/certified industrial hygienist.

3.2 SHARED AND PUBLIC AREAS

Every owner of a dwelling shall maintain in a clean and sanitary condition the shared or public areas of the building and grounds.

3.3 REFUSE CONTAINERS

Every owner of a dwelling shall supply an adequate number of approved refuse containers for safe and sanitary storage of refuse. The occupant shall use such refuse containers in a reasonable manner so that refuse is not spilled or left uncovered. Containers shall have a fitted cover and be rodent proof. The occupant shall keep the refuse containers in a clean, sanitary and sound condition.

3.4 CLEANLINESS

Every occupant of a building or part thereof shall keep that part of the building or premises thereof which he/she occupies, controls or uses, in a clean and sanitary condition.

3.5 MAINTAINED CLEAN AND SANITARY

All building facilities, including fixtures, shall be maintained in a sanitary condition by the occupant so as not to create a condition dangerous or detrimental to public health.

3.6 UNOCCUPIED DWELLING

It is the responsibility of the owner of record to maintain unoccupied dwellings in accordance to this code. Unoccupied dwellings or unattended buildings for a period

of thirty (30) days or more shall be secured by plywood or other impervious covering at all door, window or other openings.

4.0 - ENVIRONMENTAL REQUIREMENTS - EXTERIOR

No person shall occupy as owner or occupant, or let to another for occupancy, any structure or portion thereof which does not comply with the following requirements:

4.1 SANITATION

The occupant shall keep all exterior property areas maintained in a clean, sanitary condition free of any accumulation of rubbish, garbage or debris.

4.2 NOXIOUS WEEDS

It shall be responsibility of the owner to keep all exterior property area free from species of weeds or plants that are noxious or detrimental to the public health.

4.3 INSECT, RODENT AND VERMIN HARBORAGE

Every owner of a structure of property shall be responsible for the extermination of insects, rodents, vermin or other pests in all exterior areas of the premises or whenever infestation exists in the shared or public parts of the premises of other than a single family dwelling.

4.4 FOUNDATIONS, WALLS AND ROOF

Every foundation, exterior wall, roof, and all other exterior surfaces shall be maintained by the owner in a workmanlike state of maintenance and repair and shall be kept in such condition as to exclude insects, rodents and vermin.

4.5 WINDOWS, DOORS AND HATCHWAYS

Every window, exterior door and basement hatchway shall be substantially tight and shall be kept in sound condition and repair by the owner so as to exclude insects, rodents and vermin.

4.6 EXIT DOORS

Every door available as an exit shall be capable of being opened from the inside easily and without the use of a key and shall be kept in sound condition and repair by the owner so as to exclude insects, rodents and vermin.

4.7 INSECT SCREENS

The owner shall supply from May 1 to October 30 each year No. 16 mesh screening for every door opening directly from any dwelling or multi-dwelling to the outdoors and every window or other outside opening used for ventilation purposes, and every swinging door shall have a self-closing device so as to exclude rodents and vermin in good working condition.

4.8 BURNING OF REFUSE

Burning of refuse shall not be permitted except in an auxiliary fired unit specifically designed and intended for that purpose.

4.9 BURYING OF REFUSE

Burying of refuse is prohibited unless it is in compliance with Act 641, P.A. 1978.

5.0 - ENVIRONMENTAL REQUIREMENTS - INTERIOR

No person shall occupy as owner or occupant, or let to another for occupancy, any structure or portion thereof which does not comply with the following requirements:

5.1 SANITATION

The interior of every dwelling and structure shall be maintained by the occupant in a clean and sanitary condition free from any accumulation of rubbish or garbage. Rubbish, garbage and other refuse shall be properly kept inside a temporary storage container as required under Section III of this chapter.

5.2 BATHROOM AND KITCHEN FLOORS

Every toilet, bathroom and kitchen floor surface shall be constructed and maintained by the owner so as to be substantially impervious to water and to permit easy cleaning. The occupant shall keep said floors in a clean and sanitary condition.

5.3 INSECT AND RODENT HARBORAGE

Buildings shall be kept free from insect and rodent infestation, and where insects or rodents are found, the owner shall cause the same to be exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

5.4 PERMISSIBLE OCCUPANCY

Every dwelling unit shall contain a minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant and one hundred (100) square feet

for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms, excluding bathrooms, hallways, and basements without immediate outside egress.

6.0 - BASIC FACILITIES

The following minimum sanitary facilities shall be supplied and maintained in a sanitary and safe working condition:

6.1 WATER CLOSET

Every dwelling unit shall contain within its walls a room, separate from the habitable rooms, which affords privacy and which is equipped with a functional water closet. It shall be the responsibility of the owner to maintain the water closet in working order.

6.2 LAVATORY

Every dwelling unit shall contain a lavatory which, when a water closet is required, shall be in the same room with the water closet. It shall be the responsibility of the owner to maintain the lavatory in working order.

6.3 BATHTUB OR SHOWER

Every dwelling unit shall contain a room which affords privacy to a person in said room which is equipped with a bathtub or shower. It shall be the responsibility of the owner to maintain the bathtub or shower in working order.

6.4 KITCHEN SINK

Every dwelling unit shall contain a kitchen sink apart from the lavatory required under Section 6.2. It shall be the responsibility of the owner to maintain the kitchen sink in working order.

6.5 WATER AND SEWER SYSTEM

Every sanitary system shall be properly connected to either a public water and sewer system, if available, or to an approved private water supply and sewage disposal system as provided in Chapter IV and Chapter VI of this code. It shall be the responsibility of the owner to maintain the water and sewer system in working order.

6.6 HEATING FACILITIES

Every dwelling and multi-dwelling shall have heating facilities, and the owner of the structure shall be required to see that they are properly installed, safely maintained and in good working condition, and that they are capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms therein, to a temperature of at least an average of sixty-eight (68) degrees Fahrenheit at three (3) feet above the floor level in all habitable areas during all seasons. It shall be the responsibility of the owner to maintain the heating facilities in working order.

6.7 ADEQUATE VENTILATION

Every habitable room shall have at least one (1) window which can be easily opened, or such other mechanical device that will adequately ventilate the room. It shall be the responsibility of the owner to maintain adequate ventilation in working order.

6.8 WATER HEATING DEVICE

Every dwelling and multi-dwelling except seasonal dwelling shall have an approved operating natural gas, propane, fuel oil, electric or solar water heating device properly installed, safely maintained and in good working condition for bathing and sanitary purposes. Proper plumbing shall be provided so hot water can be conveyed to the bathtub or shower, lavatory and kitchen sink. It shall be the responsibility of the owner to maintain the water heating device in working order.

6.9 PREMISE BASIC FACILITIES MAINTAINED

It shall be the responsibility of the owner of record of a premise to maintain all basic facilities located on the premises in proper operating condition.

7.0 - DECLARATION AND ERADICATION OF NUISANCES

7.1 Whenever any premise, dwelling, building, or the plumbing, sewerage, water, light or ventilation thereof, or rodents or vermin and insect harborage is, in the opinion of the Health Officer, in condition or effect, dangerous or detrimental to public health or is likely to cause injury or sickness, the Health Officer may declare the same to the extent he may testify, to be a public nuisance and order the same to be remedied, removed, abated, suspended, altered or otherwise improved or purified. This shall be done within a specified period of time and if the owner or occupant shall neglect to do so, he or she shall be subject to the penalties of Chapter I Section 1.11 of this code.

8.0 - CONDEMNATION OF UNFIT DWELLINGS, DWELLING UNITS, ROOMING UNITS AND PREMISES

8.1 UNFIT DWELLING

The designation of dwellings, dwelling units, rooming units and premises which shall be designated under the provisions of this chapter as unfit for human habitation, shall be a declaration that the same constitutes a public nuisance and provisions for their vacation, removal, repair, condemnation or demolition shall be carried out in accordance with the following requirements.

8.2 UNFITNESS DEFINED

"Unfit for Human Habitation" defined. Any dwelling or dwelling unit, which shall have any of the following defects shall be deemed "unfit for human habitation."

- 1) Those which shall have been damaged by fire, wind or other cause so as to have become dangerous to life, safety, or the general health and welfare of the occupants or the people of the County of Calhoun.
- 2) Those, which because of their conditions, have become, or are so dilapidated, decayed, unsafe, unsanitary or which so utterly failed to provide amenities essential to decent living or are likely to cause sickness or disease as to work injury to the health, safety or general welfare of those living therein.
- 3) Those in which the owner or occupant fails to comply with orders of the Health Officer, based on the provisions of this code or on rules and regulations adopted, pursuant thereto.
- 4) Those in which the owner or occupant have used dwelling unit(s)/premise, to make/produce "meth" and have caused the dwelling unit(s)/premise to be contaminated by and with meth and chemicals associated with the production of meth.**

8.3 PROCEDURE FOR VACATING

If the owner or occupant fails to comply with orders of the Health Officer as specified in Section 8.2 (4), the Health Officer shall deem the dwelling, dwelling unit, rooming unit, and/or premises to be in violation of this chapter. When the Health Officer so deems the same to be in violation of this chapter and shall have given notice to the owner, occupant, or operator as provided under Chapter I, Section 1.6 and upon re-inspection at the end of the time specified for compliance, it is found that the violation or violations have not been corrected and if no petition for a hearing before the Appeal Board is pending, the Health Officer may order the dwelling, or the part thereof affected by the continued violations, vacated in accordance with the following procedures:

- 1) Dwellings or parts thereof shall be vacated within a period of time not to exceed thirty (30) days, except where the local fire department deems it to be unsafe,

then the dwelling or parts thereof shall be vacated within 24 hours.

- 2) Vacated dwellings shall have posted at all entrances a sign or signs to read, "DO NOT ENTER, CONDEMNED AS UNFIT FOR HUMAN HABITATION."
- 3) Vacated dwelling or parts thereof shall not again be used for human habitation until all violations of this code have been corrected and written determination is obtained from the Health Officer indicating that the dwelling at said date complies with all the provisions of this code.
- 4) If a dwelling, or part thereof, is not vacated within the time specified in the vacation order, the Health Officer may seek a court order in a court of competent jurisdiction for the vacation of such dwelling or part thereof notwithstanding the fact that such disobedience may also be punished by fine or imprisonment as hereafter provided in this code.

8.4 HEALTH OFFICER ORDER

Pursuant to Act 368 of the Public Acts of 1978, Article II, Administration Part 24 Local Health Department Section 2455, the Health Officer may issue an order to avoid, correct or remove at the owner's expense, a building or conditions which violates health laws or which the Health Officer or Director reasonably believes to be a nuisance, unsanitary conditions or cause of illness.

8.5 NOTICE TO SECURE - OCCUPANCY

Upon declaring a dwelling, dwelling unit or accessory structure as unfit for human occupancy and entry, the Health Officer shall issue a "NOTICE TO SECURE" to the owner or responsible agent. The Notice to Secure shall order the owner or responsible agent to secure the dwelling, dwelling unit or accessory building. The notice shall order the securing within five (5) days.

8.6 NOTICE TO SECURE - OWNER

Where the owner or responsible agent has failed to comply with a NOTICE TO SECURE, the Health Officer may secure the dwelling, dwelling unit or accessory building. The cost of securing such dwelling, dwelling unit or accessory building, shall be a personal debt of the owner to the county and may be assessed as a lien against the property until paid.

8.7 COST OF DEMOLITION

The cost of demolition or making a building safe pursuant to the provisions of this code shall be assessed by a lien against the property until paid.

8.8 DELAY

Nothing in this chapter shall delay or be a cause for terminating the prosecution of a defendant for failure to correct violations of this code noted in the notice to correct violations.

CHAPTER IV - WATER SUPPLIES

1.0 - SCOPE

The regulation pertaining to the construction of all drinking and single residential water supply systems shall apply to all premises Type II and Type III public wells, monitoring wells, dewatering wells and wells used for heat pumps, wells for oil or gas well production and irrigation wells.

2.0 - WELL CONSTRUCTION CODE

2.1 All new wells and pumping equipment shall meet those requirements as set forth in Part I - R.325.1601 (Rule 101) through and including R.325.1676(Rule 176) of the "GROUNDWATER QUALITY CONTROL RULES" as promulgated November 23, 1966, by the Director of Public Health of the Michigan Department of Public Health pursuant to promulgation authority under Part 127, Act 368, P.A. 1978, as amended.

2.2 For all water supplies serving the public, Type II and Type III, such as motels, food service establishments, gasoline stations, etc., the isolation requirement is a minimum of 75 feet to possible sources of contamination as required by Act 399, P.A. of 1976 as amended, and 100 feet from dry wells.

2.3 A SAMPLE TAP FOR SAMPLING THE WATER FROM THE WELL SHALL BE:

1. In a **readily** accessible location.
2. Eight (8) or more inches off the floor.
3. On or near the pressure tank.
4. Spout directed down.
5. A common sillcock installed on the pressure tank or in line as close as possible to the pressure tank.

3.0 - CONSTRUCTION PERMITS REQUIRED AND FEES

3.1 It shall be unlawful for any person, firm, association or corporation to construct, install or cause to be installed, any type of new water well without first obtaining a permit from

the Calhoun County Health Department. This permit must be obtained before any construction begins. Except as provided in Section VII of this chapter, applications for such permits shall be in writing and shall be signed by the owner or authorized agent. The Health Department may require a test well prior to the application for a water well permit. The Health Department may specify the type of test(s) to perform from the test well. The permit may not be altered without prior approval from the Health Department, including but not limited to changing the location of the well with regard to the front, side, or rear of a house or building.

3.2 It shall be the responsibility of the owner to furnish the Health Department the location of property lines, legal description, easements, deed and plat restrictions, possible sources of contamination, municipality authorization for mobile homes and all information necessary to determine the suitability of the premises for issuance of a permit.

3.3 PERMIT FEE

3.3.1. A fee shall be charged for each permit issued for the installation of water well at the time of application. The fee is not refundable. The amount of the fee is listed in the Health Department Fee Schedule, Appendix A.

3.3.2 A permit fee for a test well at a new building site may be refunded for the following reasons: 1) inadequate volume of water; 2) water quality does not meet state standards; 3) a dryhole; and 4) a well log is submitted showing that the well bore hole is plugged to state standards. The refund shall be requested in writing by the permit applicant. The Health Department shall request the county to issue a check to the applicant.

3.4 PERMIT DENIAL

3.4.1 The Health Officer shall be authorized to deny a water well installation permit and/or water test where the parcel of land is found to be in violation of Act 288, P.A. 1967 as amended, entitled, "Subdivision Control Act 1967", or where there is sufficient reason to believe that the site does not meet the minimum requirements for a water well installation or may cause an actual or potential health hazard, or may be in conflict with municipal ordinances, such as the Wellhead Protection Plan, or ordinance prohibiting a private well where municipal water is provided and/or available at the location in question. The denial shall be furnished to the applicant and owner in writing within thirty (30) days of said denial or decision to deny a water well installation permit.

3.4.2 A person, firm, association or corporation shall not occupy or permit to occupy a dwelling on land that is not approved for a water well or occupy a dwelling that is not served by an approved water well system.

3.5 TERM OF PERMITS

A water well permit remains in effect for a twelve month time period. The permit renewal shall be at the rate established by the Fee Schedule, Appendix A.

3.6 TRANSFER OF PERMITS

Should the ownership of the property for which a permit has been issued change prior to the expiration of a permit, the permit may be transferred to the new owner provided that no change in the scope or location of the project has or will occur. The transfer shall be requested in writing and signed by both the new property owner and the permit holder.

3.7 WELL FIRST

A **well first** may be required by the Health Department on an individual building site(s) where there is reason to believe that there is an actual or potential hazard in the area. The **well first** may be required to show that adequate **volume and** potable water is available on a particular site.

One permit will cover all test wells that are located on the same site or plot of land.

3.8 PROJECT PERMIT

A permit for water well used for dewatering or monitoring purposes may be issued as a project permit. This shall be a single permit. The amount of the fee is listed in the Health Department Fee Schedule, Appendix A.

3.9 VOID PERMIT

The permit may be declared void by the Health Department if the payment by check fails to clear the bank, or other features encroach on any required isolation distance, or if new information becomes known that will compromise the safety of the water well.

3.10 PRIORITY OVER BUILDING PERMIT

Since there are potential public health hazards if a habitable building is constructed upon land not having a proper water supply available, no municipality or township shall issue a building permit or otherwise allow commencement of construction on any land where public water is not available until a permit has first been obtained from the Health Officer for a private water supply system.

4.0 - INSPECTION AND APPROVAL

4.1 All new water supply installations are subject to inspection by the Health Officer.

Advance notification shall be given to the Health Officer when the water supply installation is complete, but prior to covering and being put into use.

5.0 - WATER SUPPLY FOR ANY HABITABLE BUILDING, MOBILE HOMES OR TRAVEL TRAILERS

5.1 It shall be unlawful for any person to occupy or permit to be occupied, any habitable building which is not provided with a potable water supply, accessible at all times to the residents of the habitable building. Any habitable building which is not served with a potable water supply may be declared unfit for habitation and may be so posted by the Health Officer.

5.2 Each dwelling shall be served by its own water well with a volume of at least 5 gallons/minute. The pumping equipment shall produce and maintain adequate pressure, and be located in an area accessible for service and maintenance.

6.0 - AN ALTERNATE METHOD OF WELL CONSTRUCTION MAY BE APPROVED BY THE HEALTH OFFICER IF IT PROVIDES EQUAL OR BETTER CONSTRUCTION THAN THE MINIMUM REQUIREMENTS PROVIDED HEREIN.

7.0 - EMERGENCY WELL WORK

Emergency construction on a well after normal work hours may be started without a permit; however, the driller shall be responsible to contact the Health Department for a permit the next working day. Failure to comply will be considered a violation of this code.

8.0 - DRINKING FOUNTAINS

8.1 The fountain head of all public drinking fountains shall be of the angle-jet mouth-guard type with an anti-squirt device. The orifice shall be above the overflow rim of the fixture and shall be so protected as to prevent contamination by the users. There shall be free drainage away from the orifice. All fountains shall be kept clean and in good repair.

9.0 - ABANDONMENT OF CONTAMINATED WELLS

9.1 When a water well is determined to be contaminated with a hazardous substance and the well is in an area where Act 307, P.A. 1982 funding will be used to provide an approved, alternate water source, the well shall be properly abandoned as provided by Act 368, P.A. 1978 or Act 399 P.A. 1976. The abandonment shall be conducted by a licensed Michigan well driller.

10.0 - SPECIFIC DEFINITIONS

10.1 Hazardous substances means a chemical or other material which is, or may become, injurious to the public health, safety or welfare, or to the environment.

10.2 Potable water means water from a water well intended for consumption that is free of coliform bacteria and nitrates that are within the state or federal standards or guidelines.

11.0 - ISOLATION DISTANCES

11.1 Minimum isolation distances of a water well to:

- 1. Buried fuel oil tank..... 50'
- 2. Septic tank..... 50'
- 3. Modified trench..... 50'
- 4. Drywell..... 50'
- 5. Tile bed..... 50'
- 6. Tile field..... 50'
- 7. Chemical storage..... 150'
- 8. Buried gasoline tanks..... 150'
- 9. Building eaves..... 3'
- 10. Sewer line - Schedule 40 or CIP..... 5' (Provide 10' sleeve around water line)
- 11. Privy..... 50'
- 12. Property line..... 5'
- 13. Corral, hog lot...(residential)..... 150'
- 14. Swimming pool..... 10'
- 15. Water way (Lake, River)..... 10' from flood plain area**
- 16. Exterior Pump Dose or Sewage Effluent Lift Station..50'**
- 17. Buried propane tank..... 10'**
- 18. Commercial hog lot..... 150'**

12.0 - BURIED TANKS

Being a source of contamination to a water supply, buried tanks shall be regulated by isolation distance to the water supply.

- 1. Existing buried tank..... 50'
- 2. New above ground tank..... 50' (Residential)
- 3. Tank out of service for 12 months..... REMOVE
- 4. Tank located where removal may jeopardize structure during removal..... FILL WITH CLEAN SAND OR BENTONITE

Documentation of compliance shall be written by the company performing the work that the tank has been properly removed and disposed of at an approved location.

CHAPTER V - PROCEDURES FOR THE INSPECTION AND EVALUATION OF SEWAGE DISPOSAL SYSTEMS AND WATER WELLS.

1.0 - REQUEST AND REPORTING PROCEDURE

1.1 All requests will be honored on completion of a request form. If the premise is unoccupied, the applicant must make an appointment with the Environmental Health Division for a time to complete the evaluation.

1.2 A report will be furnished to the applicant on a form provided by the department.

2.0 - INSPECTION AND EVALUATION PROCEDURES

2.1 NEW CONSTRUCTION

- a) Water Wells - shall comply with Act 368, P.A. 1978, as amended, Part 127, entitled "WATER SUPPLY AND SEWER SYSTEM". The well log must be submitted to the Health Department before approval can be granted.
- b) Sewage Disposal Systems - shall comply with the requirements of this code and the minimum property standards of FHA. Seepage pits will not be approved except under the following conditions:

2.2 EXISTING CONSTRUCTION

- A. Water wells installed after May 1, 1966 must be installed in accordance with Act 368, P.A. 1978, as amended, Part 127 entitled "WATER SUPPLY AND SEWER SYSTEMS". If the well was installed under Act 368, P.A. 1978, as amended, Part 127, the well log must be submitted to the Health Department before approval can be granted.
- B. Water wells installed prior to May 1, 1966 which are not installed in accordance with Act 368, P.A. 1978, as amended, Part 127, must meet the following criteria:
 1. A minimum depth of 25 feet below ground surface;
 2. Well and pumping equipment shall not be located in a well pit or undrained basement offset;
 3. Any part of any sewer line within fifty feet of the water well must be constructed of schedule 40 PVC plastic pipe or its equal with approved joints;
 4. All wells must be located at least fifty feet (50') from any septic tank or drain bed or modified trench or buried tank, and **50 feet** from any dry well including sink and laundry disposal units;

5. Basement wells may be approved if:
 - a. The basement construction is cement floor and walls or concrete block walls;
 - b. The casing extends at least 12 inches above the floor;
 - c. The well pipe is sealed to the floor with a flexible seal;
 - d. The basement is used for normal household activity or has a door opening to the ground surface at the same level as the basement floor;
 - e. If the well head is buried, it may be required to be uncovered to the extent that the horizontal suction line and connections to the vertical shaft are exposed for inspection. This requirement and the requirement of pitless adapters may be waived if the existing construction is accepted by the Calhoun County Health Department.

6. The well and pumping equipment shall provide a minimum of 5 gallons/minute/dwelling.

- C. Any reconstruction or alteration must be in accordance with Act 368, P.A. 1978, as amended, Part 127.

- D. All wells must be sampled and tested for coliform bacteria and nitrates as nitrogen by this department for water quality approval. The test results shall meet those state standards in effect at that time.

- E. Sewage disposal systems - If there is sufficient information on file and the sewage disposal system is less than six (6) months old and in compliance with FHA minimum property standards, the system will be approved without exposure or it shall be disapproved with specific stipulations for approval. If the system is more than six months old and/or there is insufficient record information for evaluation, the necessary exposure shall be indicated by the sanitarian so that a proper evaluation can be made. The sanitarian shall designate the exposure and information needed for an evaluation of an existing system. It shall ordinarily consist of at least the following:
 1. Uncover and loosen the outlet manhole of the septic tank over the baffle for inspection;
 2. Dry wells, modified trenches: Uncover the inspection port which the line from the septic tank hooks into, and where deemed necessary, uncover as much of the side wall outside the containing structure as required for an adequate evaluation of the current operating effectiveness of the system.
 3. Tile bed and tile fields: Stake out the four (4) corners of the disposal system and remove the soil to the top of the stones in the middle of the system. Soil borings may be made into the system to determine the current operating effectiveness of the system.

CHAPTER VI - SEWAGE DISPOSAL

1.0 - SPECIFIC DEFINITIONS

1.1 ABSORPTION FIELD, BED OR TRENCH

A series of drain lines laid on a bed of stone with openings aligned down so the effluent outflow will be absorbed by the surrounding soil and dispersed by evapotranspiration.

1.2 AUTOMATIC SIPHON

A mechanical device which will automatically cause a liquid entering a receptacle to be retained until a predetermined high water level has been obtained after which it is automatically released from the receptacle until a second predetermined level has been reached at which time the flow from such receptacle ceases until the high water level has again been attained.

1.3 AVAILABLE PUBLIC SANITARY SEWER SYSTEM

A public sanitary sewer system located in a right of way, easement, highway, street or public way which crosses, adjoins or abuts upon the property and passing not more than 300 feet at the nearest point from a structure in which sanitary sewage originated.

1.4 BLACK WATER

All wastes emanating from a toilet, urinal, or bidet.

1.5 DIVERSION VALVE

A mechanism provided to allow switching of the effluent flow from one soil absorption system to another separate absorption system so as to permit alternate periods of loading and resting.

1.6 DOSE TANK

A water-tight receptacle used for retaining the overflow of effluent from a septic tank pending its discharge to a subsurface disposal system by means of a siphon, pump or other device.

1.7 DRY WELL, BLOCK TRENCH

An underground enclosure connected to the outlet of a septic tank constructed of concrete block, precast concrete ring with drain holes or similar material laid with open joints and surrounded with stone so the effluent is absorbed directly into the surrounding soil.

1.8 GRAY WATER

All domestic liquid waste excluding black water but including waste water from laundry, bathing, hot tub, swimming pool, cooking, cleaning, sink waste, dish washing activities and slop sink.

1.9 HIGH GROUND WATER ELEVATION

The elevation of the upper surface of the zone of saturation as may occur during the normally wet periods of the year as determined by soil evaluation.

1.10 HOLDING TANK

A water-tight receptacle with no outlet which is used solely for holding waste water to be pumped into a licensed septic tank waste hauling vehicle for disposal at an approved location.

1.11 MODIFIED TRENCH

An underground enclosure connected to the outlet of a septic tank by means of a 4" drain pipe constructed of concrete block, precast concrete ring, or similar material laid on a bed of stone with open joints and surrounded with stone so the effluent is absorbed directly into the surrounding soil.

1.12 NUISANCE

Any acts, commissions, defects or conditions that threaten danger to, or which may be detrimental to, the lives, health, safety and welfare of the public.

1.13 PRIVY

A building or other structure not connected to a sewer system or a properly constructed and operated on-site sewage disposal system, that is used for the reception, disposition, or storage, either temporarily or permanently, of feces and other excreta from the human body.

1.14 SEPTIC TANK

A water-tight receptacle used to receive sewage from a building sewer for storage and decomposition of organic matter, and which will allow the clarified liquids to discharge for final disposal.

1.15 SEWAGE

A combination of all the domestic and organic water carried wastes from any premise where persons reside, are employed or congregate. This shall include, but not be limited to, waste from flush toilets, sinks, lavatories, bathtubs, bidets, showers, laundries, urinals or any other plumbing fixtures exclusive of water softening device backwash, swimming pool filter backwash, roof, footing or storm drainage.

1.16 SEPTAGE/SEPTAGE WASTE

Any human excrement, other domestic and restaurant waste or material or substance removed from a portable toilet, septic tank, seepage pit, cesspool, sewage lift station, modified trench, infiltrator, tile bed, or other enclosure, as determined by the Health Officer or authorized representative.

1.17 SEWAGE DISPOSAL SYSTEM

For purpose of this code a sewage disposal system shall mean the method and devices, including all treatment tanks, piping, pumps, vents and soil absorption areas, or privies used to treat and/or dispose of all sewage emanating from a home, business or industrial establishment.

1.18 SEWER, SEWER PIPE

A water tight conduit for carrying sewage.

1.19 SOILS EVALUATION

A textural analysis of the soil by means of a backhoe cut to determine the estimated drainage capabilities and characteristics. In some cases, at the department's discretion, a soil boring may be used to aid in the soil evaluation.

1.20 STONE

Whole or crushed, processed, washed and graded material approved for use in a sewage disposal system.

1.21 SUBSURFACE DISPOSAL SYSTEM

A device constructed underground for distributing septic tank effluent or overflow below the ground surface.

1.22 AGRICULTURAL PURPOSES

Normal farming activities include raising and pasturing cattle (except confined, concentrated cattle businesses), growing fruit, vegetable, grain, bean, hay or other

crops, placing of barns and out buildings for storage of equipment, products and cattle. The property shall not be occupied by any person, individual, company or corporation.

1.23 REAL ESTATE SALE; SALE

Property that is sold, traded, optioned, auctioned, inherited or leased whether mortgaged, cash sale, land contract agreement or gift.

1.24 VACANT PROPERTY

Property, parcel lot, plot or land upon which no habitable dwelling, house, building, structure, tent shelter, or mobile home exists or is occupied by any person, individuals, company or corporation.

1.25 CLEAN FILL

Natural soils, uniform medium to coarse sand, that is free of clay, silt, debris, or industrial chemicals of any type.

1.26 FILL MATERIAL

Uniform medium to coarse sand.

1.27 SURFACE WATER

A body of water whose top surface is exposed to the atmosphere and includes a flowing body, a pond or a lake.

1.28 SEWAGE DISPOSAL AREA

The area to be used by the sewage disposal system including the septic tank(s), pump chamber, distribution system, and isolation to lot lines.

1.29 FLOOD PLAIN

The elevation that a river or stream can rise to as a result of a 100-year rain fall.

2.0 - SEWAGE DISPOSAL FROM ANY HABITABLE BUILDING

2.1 OCCUPANCY

It shall be unlawful for any person to occupy, or permit to be occupied, any habitable building, trailer or mobile home, which is not equipped with an approved sewage

disposal system to include plumbing fixtures, building drains and building sewers as defined in Michigan State Plumbing Laws for the transportation and disposal in a sanitary manner of all forms of sewage. Each habitable building, trailer or mobile home, shall have its own sewage disposal system. Such facilities shall be constructed in accordance with the provisions of those regulations. Under no condition may the sewage from an existing or hereafter constructed habitable building be discharged or deposited inside the dwelling, upon the surface of the ground, into the groundwater, into roadside ditches, surface waters, water courses, inland lakes, or into any closed drain other than a sanitary sewer. Any habitable building constructed or maintained which is not in accordance with these regulations may be declared unfit for habitation and may be so posted by the Health Officer.

2.2 ONSITE PRIVATE SEWAGE DISPOSAL SYSTEM

One Septic System - One House

Sewage shall be deposited in a sewage disposal system designed by the Health Officer or his designated representative designed specifically for the dwelling and site. A private sewage disposal system shall not serve more than one dwelling unless specifically waived by the Health Officer.

2.3 PUBLIC SANITARY SEWER SYSTEM

A habitable building or premise shall connect to a public sanitary sewer system when the public sanitary sewer system is located in a right-of-way, easement, highway, street, or public way which crosses, adjoins, or abuts upon the property from which sanitary sewage originates.

2.4 GRAY WATER DISPOSAL

Gray water shall be disposed of through an onsite sewage disposal system or in a system designed by the Health Officer. Disposal of water from a hot tub or swimming pool may be discharged on the ground surface, provided it does not pond more than four hours and remains wholly on the property of the owner.

3.0 - CONSTRUCTION AND MAINTENANCE OF PRIVIES AND SIMILAR DEVICES

3.1 PRIVY

All privies and other toilet devices shall be constructed and maintained in accordance with Public Health Code Act 368, P.A. 1978, Part 127, Section 12771. A sewage disposal permit shall be obtained prior to construction of the privy. The fee is listed in Appendix A, Sewage Disposal Permit.

3.2 PROHIBITION OF PRIVIES

No privy shall be maintained or be constructed on or moved to any premise where the

service of a public sewer is available or where prohibited by local ordinance.

3.3 PRIVIES AT CONSTRUCTION SITES AND MASS GATHERINGS

Only prefabricated privies will be allowed at construction or mass gathering sites and shall be constructed and maintained in accordance with Act 273, P.A. 1939. Such privies shall be pumped and serviced by a Michigan licensed septic tank pumper at a frequency that will not allow any waste to overflow the capacity of the unit. Such privies will not require a construction permit to be so located.

4.0 - PERMITS

4.1 CONSTRUCTION PERMITS REQUIRED

It shall be unlawful for any person, firm, association or corporation to construct, install, repair or substantially alter any privy, septic tank or subsurface disposal system, without first obtaining a soil evaluation and/or a written construction permit from the Calhoun County Health Department. Such permits must be obtained prior to the issuance of a building permit by the local governmental unit. Application for permits shall be obtained from the Calhoun County Health Department.

4.2 PERMIT FEE

A fee shall be charged for each permit issued at the time of application. The fee is not refundable. The amount of the fee is listed in the Health Department Fee Schedule, Appendix A.

4.3 PERMIT DENIAL

4.3.1 The Health Officer shall be authorized to deny a soil evaluation and/or a sewage disposal installation permit where the parcel of land is found to be in violation of Act 288, P.A. 1967, as amended, entitled "Subdivision Control Act of 1967", or where there is reason to believe the site does not meet the minimum requirements of this code, or that the installation may not operate properly and/or will cause an actual or potential health hazard. The denial shall be furnished to the applicant and owner in writing within thirty (30) days of said denial or decision to deny a sewage disposal installation permit.

4.3.2 A person, firm, association or corporation shall not occupy or permit to occupy a dwelling on land that is not approved for a sewage disposal system, or occupy a dwelling that is not served by an approved sewage disposal system.

4.4 OWNER'S RESPONSIBILITY

A site plan drawing may be required to scale to indicate the following:

1. **House location**
2. **Septic system area**
3. **Well location**
4. **Out building(s)**
5. **Livestock corrals**
6. **Driveways**
7. **Pool**
8. **Easements**
9. **Utilities (underground and overhead)**
10. **Property lines**
11. **Road**
12. **Bodies of water or stream**
13. **Proposed well**
14. **Driveway**

4.4.1 Subdivisions/Site Condominiums

It shall be the responsibility of the owner/representative to furnish the Health Department with engineered plans for all subdivision or site condominium projects. Plans will include, but not be limited to, location of house, property lines, proposed well, driveway, roads, proposed septic (initial and reserve), drainage areas. This is in addition to all Michigan Department of Environmental Quality requirements.

4.5 TRANSFER OF PERMITS

Should the ownership of the property for which a permit has been issued change prior to the expiration of a permit, the permit may be transferred to the new owner provided that no change in the scope or location of the project has or will occur. The transfer shall be requested in writing and signed by both the new property owner and the permit holder.

4.6 TERM OF PERMITS

A sewage permit remains in effect for a **12** month time period. The permit renewal shall be at the rate established by the Fee Schedule, Appendix A.

4.7 VOID PERMIT

The permit may be declared void by the Health Officer if the payment by check fails to clear the bank or if the location of a new water well or other features encroach on any required isolation distance or if major filling, excavating, paving, flooding, installation of public sewer or any other developments occur that may adversely affect the operation of the sewage disposal system.

4.8 PRIORITY OVER BUILDING PERMIT

Since there are potential public health hazards if a habitable building is constructed upon land not having proper sewage disposal available, no municipality or township shall issue a building permit or otherwise allow commencement of construction on any land where public sewers are not available until a permit has first been obtained from the Health Officer for a private sewage disposal system. In the case a dwelling has been removed, a previous sewage disposal permit does not guarantee a future permit.

4.9 PERMITS FOR SYSTEMS SERVING MOBILE HOMES

Before a permit may be issued for the installation of a sewage disposal system to serve a mobile home, the owner shall furnish the Health Officer evidence that the municipality will approve a permit for occupancy of the site by a mobile home unit. Each mobile home or trailer shall be required to be served by its own septic tank and drainage system that is approved.

4.10 FINAL APPROVAL

The Health Department shall inspect any septic system within forty-eight (48) hours of notification that the system is completed or at a time mutually agreed to with the sewage disposal installer. A new or replacement septic system and/or any subsurface disposal system shall not be backfilled until an inspection has been completed and approval granted by the Calhoun County Health Department, after which the system shall be covered within forty-eight (48) hours.

5.0 - PUBLIC SEWER

5.1 No permit shall be issued to install an on-site sewage disposal system if a public sanitary sewer collection is available or located in a right of way, easement, highway, street or public way which crosses, adjoins or abuts upon the property and passing not more than three hundred (300) feet at the nearest point of the building from which sanitary sewage originates.

5.2 The Health Officer or representative may waive the 300' requirement in order to abate, avoid, or correct environmental contamination

5.3 If a disconnected sewage disposal system is collapsing, the system shall be pumped and filled with clean dirt.

6.0 - BUSINESS OF BUILDING SEWAGE DISPOSAL SYSTEMS

6.1 REGISTRATION REQUIRED

No person shall engage in the business of installing sewage disposal systems or any parts thereof within Calhoun County without first securing a certificate of registration annually

from the Health Officer. Registration shall be completed by March 1 of each year or be considered late and be assessed a late fee.

6.2 VIOLATION OF CODE

When the Health Officer determines that there are reasonable grounds to believe there has been a violation of this code, he shall investigate the violation. If the Health Officer establishes that violation has been committed, he shall order the responsible person to make the proper correction.

6.3 SUSPENSION OF CERTIFICATE OF REGISTRATION

When the Health Officer finds that a registered installer has engaged in practices that are in violation of this code or has failed to make the proper correction, the Health Officer may give notice in writing to the registered installer that the registration has been suspended. A person who has been suspended shall be notified in writing and be granted a hearing upon his written request for a hearing. The hearing shall be before the Board of Appeals if the written request is filed within thirty (30) days after the day of suspension.

7.0 - CONDEMNATION OF EXISTING INSTALLATIONS

The Health Officer may condemn any individual sewage disposal system where the effluent therefrom is exposed to the surface or is permitted to drain onto the surface of the ground or into any lake, river, county drain, storm drain, storm sewer, or stream, or where the seepage of effluent therefrom may endanger a public or private water supply or where an improperly constructed or maintained system creates a nuisance.

8.0 - VARIANCES

Deviations from the provisions of this code may be made in cases where physical size or shape of the premises makes its application a physical impossibility. If the Health Officer finds that special conditions are present, the owner may construct or cause to be constructed an individual sewage disposal system under the direction of the Health Officer and subject to such reasonable conditions as he may require considering the limitation of the property, the protection of public health and the prevention of any nuisance. An alternate method of sewage disposal may be approved by the Health Officer if the alternative method is determined not to create a health hazard. Exceptions to the specific requirements may be made by the Health Officer, on application, when in his judgment special factors warrant such a variation. Systems installed under this Section shall be inspected and approved prior to backfilling as required in Section IV 4.10 of this chapter.

8.1 SEASONAL INSTALLATION RESTRICTION

The Health Officer may restrict the installation of sewage disposal systems to certain times of the year depending on but not limited to frost or severe moisture condition in the soil.

8.2 UNDUE HARDSHIP

When provisions of these regulations make their application an undue financial hardship, and, in the opinion of the Health Officer, the public health can be temporarily protected by means of an alternative installation, variations may be approved if the required waivers, furnished by the Health Officer, are properly completed and submitted to the Health Officer. Such waivers shall list certain restrictions and shall be signed by the applicant, witnessed and notarized, before being submitted to the Health Officer for approval. The Health Officer may then file a sworn affidavit with the Register of Deeds to be recorded on the property abstract of the applicant listing the variations and restrictions.

9.0 - COMMERCIAL AND INDUSTRIAL

9.1 Sewage disposal systems for commercial and industrial multi-dwellings and places of assembly shall be designed in conformance with "Michigan Guidelines for Subsurface Sewage Disposal" December 1977.

9.2 The Health Officer may require a Michigan registered engineer to submit plans and specifications in duplicate to the Calhoun County Health Department of sewage disposal systems of more than 2000 gallons per day flow. Plans and specifications shall be required for sewage disposal systems of greater than 4000 gallons per day flow.

10.0 - ALTERNATIVE METHODS

An alternate method of sewage disposal may be approved by the Health Officer if it provides equal or better treatment than the minimum requirements provided herein.

11.0 - SPECIFICATIONS FOR INSTALLATION OF ONSITE SEWAGE DISPOSAL SYSTEM WHERE BEDROCK IS ENCOUNTERED 25' OR LESS BELOW THE GROUND SURFACE.

- 11.1 All lines carrying sewage to the septic tank shall be Schedule 40 PVC plastic with chemically cemented joints.
- 11.2 Precast septic tank minimum size shall be two 1000-gallon tanks.
- 11.3 The drainage system shall be limited to tile bed or tile field.
- 11.4 There shall be a minimum of 10' vertical isolation between the bottom of the disposal system and bedrock.
- 11.5 Precast concrete dosing tank equipped with a submersible sewage effluent pump and sized to discharge the tank contents in 20 minutes or less. The dose

tank shall provide dosing capacity of not less than 1/4 of the septic tank volume.

- 11.6 A visual and audio alarm may be required to be installed to indicate an inoperable pump.
- 11.7 A concrete tank with a manhole over the pump is required.
- 11.8 A check valve on the dosing pump discharge shall not be used because of potential of freezing.
- 11.9 The distribution lines of the bed or field must have an adequate capacity to hold the volume equal to one dose.
- 11.10 Effluent pumps shall have adjustable controls so proper dose volume can be obtained.

12.0 - CONSTRUCTION AND MAINTENANCE OF ON-SITE SEWAGE DISPOSAL SYSTEM

12.1 METHODS OF SEWAGE DISPOSAL

Where a sewer is not available for public use, all facilities installed to receive or conduct sewage shall be connected to a sewage disposal system or to some other disposal method approved by the Health Officer.

Whenever the Health Officer shall determine that the sewage is flowing from any public or private sewer or drain of unknown course or origin, he may issue public notices requiring persons owning premises from which such sewage could originate, to connect such sewage flow to a public sewage system if available, or in the absence thereof, to comply with the provisions of this code. Public notice shall consist of the posting of at least five (5) conspicuous notices in the probable area served by said sewer or drain. Within thirty (30) days following the posting of the notices, the Health Officer may plug or cause to be plugged the outlet of said sewer or drain until such time as the sources of the sewage have been located. The owners of the properties known to be discharging sewage into such sewers or drains posted by the Health Officer shall be given written notice of corrections required within the time allowed by the posted notice. Failure to comply shall be considered a violation of these regulations.

12.2 SEWERS

- A) Type - All sewers located within fifty (50) feet of any private water well or seventy-five (75) feet of a public water supply and within five (5) feet at the outside wall of any premise shall be cast iron pipe or Schedule 40 PVC plastic pipe or a material approved by the Michigan Department of Public Health or a Michigan Plumbing Board.
- B) Size - All building sewers beyond three (3) to five (5) feet from the outside wall of any premise shall be a minimum of four (4) inches in diameter with proper clean-outs. Three (3) inch conduit may be used if the fixture load is fifteen (15) units or

less as specified by the State of Michigan plumbing laws.

- C) Grade - Sewer pipe installed prior to connection to a septic tank shall be laid at a grade not less than 1/8 inch per foot, nor more than 1/4 inch per foot.

12.3 SEPTIC TANKS

- A) Capacity - Only septic tanks with a design and construction approved by the Health Officer or designee shall be used. Each septic tank shall have a capacity of at least the average volume of sewage flowing into it during a 24-hour period, but in no case less than 1000 gallons unless otherwise specified by the Health Officer. An additional and separate 500 gallon septic tank shall be required for installations using garbage grinders.
- B) Access - All septic tanks shall be installed in such a location and manner as to be readily accessible for cleaning and maintenance.
- C) Sizing - All on-site sewage disposal systems serving homes with more than one bedroom shall have a multi-chamber septic tank or multi-combination of septic tanks to maximize the removal of solids from the sewage. A multi-chamber septic tank shall have a partition that extends from the top of the septic tank to the bottom in a uniform manner. The partition shall either be last in place or installed in a secure manner at the bottom and sides. Overflow into the next chamber shall be by means of a baffle that is located in the upper portion of the partition. All gray water systems shall be served by a minimum of a 500 gallon septic tank which shall discharge into a disposal system approved by the Health Officer.

| <u># Bedrooms</u> | <u>Minimum Liquid Capacity</u> | <u>With Garbage Grinder</u> |
|-------------------|--------------------------------|-----------------------------|
| 1 | 1000 gallon | 1000 + 500 gallon |
| 2 | 1500 gallon | 1000 + 1000 gallon |
| 3 | 1500 gallon | 1000 + 1000 gallon |
| 4 | 1500 gallon | 1000 + 1000 gallon |
| 5 or more | 1000 + 1000 gallon | 2000 + 1000 gallon |

- D) Manholes - Every septic tank shall be provided with two openings at least eighteen (18) inches in diameter with covers. One of the openings shall be located over the outlet, the other over the inlet. Access shall be provided to the septic tank by means of a riser. The riser shall have a cover that is water-tight.
- E) Inlet - The bottom of the inlet line into the septic tank shall be at least three (3) inches above the operating level of the tank. The inlet must be so designed to permit gas above the liquid level to pass through the inlet line and out the vent stack serving the sewer line leading to the tank. All pipe connections to a septic

tank shall be water-tight and surrounding excavation shall be properly backfilled. This line shall be Schedule 40 PVC plastic or equivalent.

- F) Outlets - The outlet connections of the tank and each compartment thereof shall be submerged by means of a vented tee, vented elbow, or a baffle shall extend at least four (4) inches below its respective inlet or outlets. The first ten (10) feet from the septic tank shall be Schedule 40 PVC plastic pipe or equivalent.
- G) Construction Material - Concrete prefabricated tanks shall be constructed of washed aggregate and properly vibrated to produce concrete tanks having a minimum compressible strength of 3,500 pounds per square inch. Tanks constructed of concrete blocks shall be laid on a four (4) inch reinforced concrete bottom and mortar joints shall be thoroughly filled. The interior of the tank shall have a smooth cemented surface and be water-tight. The top shall be four (4) inch reinforced concrete. When a septic tank is precast in two sections, the two halves must be sealed together with overlapping edges and a sealant.
- H) Outlet Effluent Filter - **(Replacement/Repair)** Each septic tank or last septic tank may be required to be equipped with an effluent filter designed for the intended use of **filtering the septic tank effluent prior to discharge to the soil absorption area. In the event the effluent filter cannot be installed in the septic tank, an external filter unit may be required.** In the event the effluent filter cannot be installed, an external filter unit may be required to be installed after the last septic tank.
- I) **Outlet Effluent Filter (New Construction) - Each septic tank or last septic tank will be required to be equipped with an effluent filter designed for the intended use of filtering the septic tank effluent prior to discharge to the soil absorption area.**
- J) **Risers/Manholes (New Construction) - Each septic tank will be required to have risers with manholes installed for maintenance and routine service.**

12.4 SEPTIC TANK EFFLUENT DISPOSAL

Septic tank effluent or overflow shall be disposed of in an absorption field, absorption trench, absorption bed, modified trench, or other approved method approved by the Health Officer. The absorption system shall be located beneath the ground surface and shall be sized in accordance with the soil conditions and shall be approved by the Health Officer. All effluent disposal systems shall be installed only under such circumstances where sufficient and suitable land area is readily available for necessary expansion, replacement and relocation. A reserve area of equal size is required to be set aside for replacement of the drainage system.

12.5 MAINTENANCE

Every private sewage disposal system shall be maintained in a satisfactory operating condition. Every septic tank shall be serviced by having sludge pumped out at such intervals that will minimize carry over of solids into the absorption system. Dry wells and modified trenches shall have a four inch riser to within six (6) inches of the surface for servicing.

12.6 MINIMUM ISOLATION DISTANCES IN FEET

The following minimum isolation distances shall be observed unless varied as allowed by this code.

A)

| | <u>Septic Tank</u> | <u>Absor. Field</u> | <u>Absor. Bed</u> | <u>Dry Well</u> | <u>Mod. Trench</u> | <u>Privy</u> |
|-----------------------|--------------------|---------------------|-------------------|-----------------|--------------------|--------------|
| Well | 50 | 50 | 50 | 100 | 50 | 50 |
| Property Line | 5 | 5 | 5 | 5 | 5 | 5 |
| Right of Way | 5 | 5 | 5 | 5 | 5 | 5 |
| Basement Wall | 10 | 15 | 15 | 25 | 25 | 50 |
| Building Foundation | 10 | 15 | 15 | 25 | 25 | 50 |
| Lakes and Streams | 100 | 100 | 100 | 100 | 100 | 100 |
| Bank | 25 | 25 | 25 | 25 | 25 | 25 |
| Below Grade Pool | 10 | 10 | 10 | 15 | 10 | 10 |
| Suction Line | 50 | 50 | 50 | 100 | 50 | 50 |
| Pressure Water Line | 10 | 10 | 10 | 10 | 10 | 10 |
| Bedrock | 5 | 10 | 10 | -- | -- | -- |
| High Water Table | 4 | 4 | 4 | 4 | 4 | 4 |
| Other Disposal System | 10 | 10 | 10 | 10 | 10 | 10 |
| Open County Drain | 50 | 50 | 50 | 50 | 50 | 50 |
| Retention Pond | 50 | 50 | 50 | 50 | 50 | 50 |
| Closed Pipe Drain | 25 | 25 | 25 | 50 | 25 | 25 |
| Flood Plain Wetlands | 100 | 100 | 100 | 100 | 100 | 100 |
| Buried Phone Line | 15 | 15 | 15 | 15 | 15 | 15 |
| Buried Elec. Line | 15 | 15 | 15 | 15 | 15 | 15 |
| Buried Gas Line | 15 | 15 | 15 | 15 | 15 | 15 |
| Propane Tank & Line | 10 | 10 | 10 | 10 | 10 | 10 |
| Flood Plain | 100 | 100 | 100 | 100 | 100 | 100 |

Well isolation is 75 feet of isolation for public water supplies (Type II and III) and 200 feet of isolation for public (Type I) or municipal water supplies.

- B) Approved well pipe and sewer line..... 10'
- Natural gas line..... 10'
- Buried telephone lines..... 10'
- Well head or buried cased suction line and approved buried sewer line..... 10'
- Buried oil or gasoline tank - new construction.....150'
- Buried oil tank - existing home..... 50'
- Water line crossing waste line..... **10' protective casing on water line. See Mich. Plumbing Code**

12.7 DESIGN STANDARDS FOR SEWAGE DISPOSAL SYSTEMS

- A. Size, dimensions and materials of the tank.
- B. Size, depth arrangement, filter material, cover material, under layment, grades and construction rules for disposal systems.
- C. Materials, methods of installation, grades and location of sewer lines.
- D. Specifications for siphons, pumps' mechanical equipment, discharge lines and distribution methods.
- E. Limiting conditions including weather and soil conditions under which construction may take place.

12.8 SPECIAL CASES

The Health Officer may require the owner to furnish plans prepared by a Michigan registered engineer for special cases where site restrictions may require added engineering principles for the installation and operation of the sewage disposal system.

12.9 CONSTRUCTION REQUIREMENTS

- A. Location - In no case shall a disposal field or bed be laid under a paved surface or buildings or flood plain, and shall be located wholly on the property served or a suitable written and recorded easement. Surface water and roof drains must be diverted away from the disposal area. **Underground irrigation system sprinkle head shall not be over the drainage system. In the event a replacement system is installed where an underground irrigation system exists, the sprinkler heads shall be removed.**
- B. Distribution Header - The pipe from the septic tank and header shall be without any perforations. The header shall be level to allow for even distribution of all septic tank effluent throughout the subsurface disposal laterals. Unless otherwise specified, the line to the bed shall be located in the center of the header.
- C. Dosing, Dosing Tanks and Automatic Siphons - The Health Officer may require

dosing for the operation of the disposal system, or automatic siphons or pumps to be used in the installation. Such designs will be based on "Michigan Guidelines for Subsurface Sewage Disposal", Dec. 1977 and/or EPA "Onsite Wastewater Treatment and Disposal Systems", Design Manual, Oct. 1980, or "Pressure Distribution Networks", MDPH 1984.

- D. Pumps - Effluent pump specifications shall include but not be limited to the following:
 - 1. Stainless steel fasteners.
 - 2. Stainless steel pump shaft.
 - 3. Corrosion proof cords.
 - 4. Motor must operate in clean dielectric oil for cooling and lubricating.
 - 5. The pump case may be cast iron or brass and shall be kept submerged at all times.
 - 6. The pump shall be capable of discharging 25% of the estimated daily flow within twenty (20) minutes.

- E. Controls - **Corrosion proof level control(s)** may be required to control sump level. Explosion proof contractor junction box(es) shall be installed if such connections are located inside the sump pump chamber. A visual and/or audio alarm may be required in certain cases.

- F. The discharge line from the pump shall be provided with an accessible union in order to accommodate easy removal of the pump from the dose tank. In certain cases no check valve will be permitted in the discharge line. All connections shall be water-tight.

- G. New Construction/New Sites - Pump dosing systems shall be restricted to replacement sewage disposal systems to address particular problems at existing home sites. New construction sites shall use gravity systems from the septic tanks through the disposal system.

- H. New Construction Site on Fill Material

Fill Criteria: Development of a new site by depositing fill material for an on-site sewage disposal system shall meet the following criteria. Also see Section XIV, Soil Evaluation, of this chapter.

- 1. Fill over unsuitable soil shall not be permitted and shall not be approved for a sewage disposal system.

- 2. Unprotected groundwater aquifers shall be carefully considered in the site evaluation. The presence of a shallow unprotected groundwater aquifer that is

recharged from the surface and is located under a fill site shall be a determinant for denial of a sewage disposal permit.

3. The sewage disposal system including septic tank shall be isolated either a minimum of 100' from any surface water and water well and 6' above the high groundwater elevation.
4. The fill material shall be clean uniform material.
5. Remove top soil and vegetation prior to filling.
6. Sufficient fill shall be placed for both initial and replacement system.
7. Fill shall only be considered over subsoil conditions where there is a minimum of one foot of natural unmottled permeable sandy soil between the seasonal high groundwater elevation and original ground surface throughout the area to be filled.
8. Fill shall not be permitted in a designated wet land or flood plain or where the water table is less than 12" to the ground surface.
9. The Health Department may require previously deposited unconsolidated fill (broken concrete, asphalt, brush, logs or wood) to be removed prior to filling a site for a sewage disposal system.
10. The designing engineer shall provide interim and final inspection of the installation. The designing engineer shall provide the Health Department with a written final inspection that shows compliance with the design of the system. The designing engineer shall warrant the system for a period of not less than three years.
11. The design of the sewage disposal system shall incorporate sound engineering practices including, but not limited to, the Calhoun County Sanitation Code, Michigan Criteria for Subsurface Sewage Disposal or other applicable criteria by recognized authority or agency of the State of Michigan or EPA.

12.10 ABSORPTION FIELD TRENCH CONSTRUCTION SPECIFICATIONS

| <u>Item</u> | <u>Maximum</u> | <u>Minimum</u> |
|------------------------|----------------|----------------|
| Number of Trenches | - | 2 |
| Pipe Size | - | 4 inches |
| Length of Trench | 100 ft. | - |
| Width of Trench | 36 inches | 24 inches |
| Space between Trenches | - | 5 ft. |

| | | |
|---------------------|------------|-----------|
| Depth of Cover | 24 inches | 12 inches |
| Slope of Lines | 2"/100 ft. | Level |
| Stone under Lines | - | 6 inches |
| Stone over Pipe | - | 2 inches |
| Straw over Stones | - | 4 inches |
| Sizing Requirements | See 12.14 | |

12.11 ABSORPTION BED CONSTRUCTION SPECIFICATIONS

| <u>Item</u> | <u>Maximum</u> | <u>Minimum</u> |
|--|----------------|----------------|
| Distance between Lines | - | 5 ft. |
| Distance between Lines, Sides and Ends | 30 inches | 18 inches |
| Pipe size | - | 4 inches |
| Depth of Cover | 24 inches | 12 inches |
| Slope of Lines | 2"/100 ft. | Level |
| Stone under Lines | - | 6 inches |
| Stone over Lines | - | 2 inches |
| Straw over Stones | - | 4 inches |
| Sizing requirements | See 12.14 | |

12.12 GRAVELLESS SYSTEM

1. Gravelless systems are permitted and shall be sized according to minimum absorption area sizing requirements.

12.13 MINIMUM ABSORPTION AREA SIZING REQUIREMENTS

| <u>USDA Soil Texture</u> | <u>Minimum Area Required in Sq. Ft.</u> | <u>Maximum Rate of Application Gal/Sq. Ft./Day</u> |
|--------------------------|---|--|
| Sand Gravel | 150 | 1.25 |
| Sand Medium | 175 | 1.25 |
| Loamy Sand | 200 | 1.00 |
| Sandy Loam | 225 | .75 |
| Sandy Clay Loam | 250 | .25 |
| Light Loam | 300 | .25 |

.....

| | |
|--|--|
| Heavy Loam, Clay Loam Clay, Silt | Unsuitable for subsurface disposal system and a sewage disposal permit cannot be |
|--|--|

Peat, Muck issued.
Sandstone, Shale or
Mottled soil

12.14 SIZING REQUIREMENTS FOR ADDITIONAL FIXTURE LOAD

Additional fixture load shall mean an increase of water saving devices that are beyond the minimum. These include but are not limited to the following:

- Bidet
- Bathroom for each bedroom
- Hot tub connected to the house plumbing
- Oversized hot water generating system
- Reverse osmosis water treatment system**

Septic system disposal systems servicing an additional fixture load shall be increased by no less than 300 square feet.

13.0 - PROCEDURE FOR EVALUATION FOR SEPTIC AND/OR WATER SUPPLY ON VACANT PROPERTY PRIOR TO THE REAL ESTATE SALE

- 13.1 Prior to the sale or auction of a vacant property where municipal sewer or water is not available, the owner, or their designated agent(s), shall request the Health Department to perform a soil and/or water evaluation of a building site to determine the suitability of the soil for an onsite sewage disposal system.

Property that is purchased to enlarge an adjacent property that has an existing occupied single family premise and occupied by the deed holder shall be exempt from the evaluation.

Property that is sold for and to be used only for **dairy, grazing, or** agricultural crop production purposes is exempt from the evaluation.

Where municipal water is not available, the department may require the owner **or developer** of the property to conduct a **“well first” to determine groundwater quantity and quality. In some cases the department may require a hydro geological study. A test well shall be required for all land divisions and subdivision developments.**

- 13.2 Requests shall be submitted on a form(s) provided by the Health Department. All soil and water evaluations will be done on an appointment basis. The Health Department shall furnish the owner and purchaser a written report of the findings.
- 13.3 A fee shall be charged for soil and water evaluations. A separate fee shall be assessed each building site of two acres or less. The fee will be as stated in the Calhoun County Health Department Sanitation Code in Appendix A, Fee

Schedule, Site Evaluation.

CALHOUN COUNTY SANITATION CODE AMENDMENT
October 2, 2003 **and February 15, 2007**

CHAPTER VII - FOOD SERVICE

1.0 - SCOPE

1.1 This regulation shall pertain to all food service facilities, excluding vending, temporaries and snack bars, that serve food to the public in Calhoun County.

2.0 FOOD CODE

2.1 All food service establishments shall meet the requirements as set forth in the Food Code, as adopted by the State of Michigan, Act 92, P.A. 2000, as amended, and rules and regulations adopted by the Michigan Department of Agriculture.

3.0 FIXED FOOD SERVICE CERTIFIED MANAGER

3.1 On or before April 30, 2005, each fixed food service facility shall have an owner or manager or supervisor who has successfully passed an approved and accredited food safety certification examination. For purposes of this section, multiple contiguous food service facilities permitted within the same site and under the same management, ownership or control, shall be deemed to be one food service facility, notwithstanding the fact that the food service facility may operate under separate permits.

3.2 The training may include, but need not be limited to classroom training, home study

programs and computer-assisted training. All training must include a certification examination.

3.3 After adoption of this regulation, any new food service facility or change of ownership of a food service facility shall comply with this regulation at the time the facility commences operation. Existing food service establishments shall provide a certified food manager within two years of this ordinance.

3.4 In the event a certified manager terminates their employment with a food service facility, the food service facility owner shall have 90 days to comply with regulation. **Upon written notification by the Health Department representative that a food service establishment is without a certified food manager, each 90-day notice shall be considered a violation and subject to an additional fee for each notice. The additional fee shall be assessed to the license fee for the following (next) year.**

3.5 A fixed food establishment shall employ a certified owner or certified manager or supervisor. Such person(s) shall be regularly available to restaurant employees to provide assistance. No certified person at a food service facility may serve simultaneously at any other food service facility as the person required to be certified pursuant to this regulation.

3.6 The responsibility of a certified owner, manager, or supervisor at a food service facility shall include the safety of food preparation and service, including ensuring that all employees who handle, or have responsibility for handling unpackaged food of any kind, have sufficient knowledge to ensure the safe preparation or service of the food, or both.

3.7 The food safety certificate issued shall be retained on file at the food service facility at all times and shall be made available for inspection by the Health Officer or designated representative.

3.8 The issue date for each original certificate issued shall be the date when the individual successfully completed the examination. A certificate shall expire three (3) years from the date of the original issuance. Any replacement or duplicate certificate shall have as its expiration date the same expiration date that was on the original certificate.

3.9 Certified individuals shall be recertified every three (3) years by passing an approved and accredited food safety certification examination.

3.10 The food safety certification examination shall include, but need not be limited to, the following elements of knowledge:

- (a) Foodborne illness, including terms associated with foodborne illness, micro-organisms, Hepatitis A, and toxins that can contaminate food and the illnesses that can be associated with contamination; definition and recognition of potentially hazardous foods; chemical, biological and physical contamination of food and the illnesses that can be associated with food contamination; and major contributing factors for foodborne illness.
- (b) The relationship between time and temperature with respect to foodborne illness, including the relationship between time and temperature and micro-organisms during

the various food handling, preparation and serving states, and the type, calibration and use of thermometers in monitoring food temperatures.

- (c) The relationship between personal hygiene and food safety, including the association of hand contact, personal habits and behaviors and food worker health, to contribute to improved food safety practices.
- (d) Methods of preventing food contamination in all stages of food handling, including terms associated with contamination and potential hazards prior to, during and after delivery.
- (e) Procedures for cleaning and sanitizing equipment and utensils.
- (f) Problems and potential solutions associated with facility and equipment design, layout and construction.
- (g) Problems and potential solutions associated with temperature control, prevention of cross contamination, housekeeping and maintenance.

3.11 Food service terms defined, P.A. 92 of 2000, Section 1105.

3.12 Additional Fees

- (a) A violation of this section of this Code shall not constitute a misdemeanor but shall result in an additional fee as stated in the fee schedule, which shall be added to the next year's license.
- (b) Failure to remit the additional fee and/or provide a certified person for the food service facility may result in administrative procedures to seek revocation of the food service establishment license.
- (c) **A violation shall be interpreted as no certified food manager available as set forth in this chapter. Each notification of a violation shall be considered a separate notice and violation.**

3.13 Validity

If any section of this Chapter, Subsection change or phase is for any reason adjudged unconstitutional or invalid, it is hereby provided that the remaining portions of this Chapter shall not be affected thereby.