

ORDINANCE NO. 48B

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR VIOLATIONS OF SECTIONS THEREOF, IN THE VILLAGE OF DECATUR, VAN BUREN COUNTY, MICHIGAN.

THE VILLAGE OF DECATUR ORDAINS:

SECTION 1.....DEFINITIONS

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

- A. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- B. "Superintendent" shall mean the Superintendent of the Municipal Sewage Works of the Village of Decatur or his authorized deputy, agent or representative, who shall inspect and approve the installation of building sewers and their connection to public sewers.
- C. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, and shall not include any liquid wastes resulting from industrial processes.
- D. "Sewer" shall mean a pipe or conduit for carrying sewage.
- E. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- F. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- G. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.
- H. "Building Sewer" shall mean the extension from the building drain to the public sewer or to other place of disposal.
- I. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- J. "Shall" is mandatory: "May" is permissive.

SECTION II.....USE OF PUBLIC SEWERS REQUIRED

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Village of Decatur, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage.
- B. It shall be unlawful to discharge to any natural outlet within said Village, or in any area under the jurisdiction of said Village, any sanitary sewage, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended for or used for the disposal of sewage.
- D. The owner of all houses, buildings or properties used for human occupancy, employment, manufacturing, processing, recreation or other purposes situated within the Village and abutting any street, alley or right-of-way in which there is now located or may in the future be located a public sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within sixty (60) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet other property line.

SECTION III.....PUBLIC SEWAGE DISPOSAL

- A. Where a public sanitary sewer is not available under the provisions of Section II-D, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the Van Buren County Board of Health.
- B. At such times as public sewer becomes available to a property served by a sewage disposal system as provided in Section II-D, a direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned.
- C. In those cases where a private sewage disposal system is permitted, the owner shall operate and maintain such private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village.
- D. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Van Buren County Board of Health.

SECTION IV.....BUILDING SEWERS AND CONNECTIONS

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Superintendent.
- B. Either the owner or his agent shall make application on a special form furnished by the Village to obtain a building sewer permit. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of five dollars (\$5.00) for a building sewer permit shall be paid to the Superintendent, at the time the application is filed, who in turn shall deposit same with the Village Clerk.
- C. All costs and expense incident to the installation and connection of the building sewer to the public sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said Village from any loss or damage that may directly or indirectly be occasioned by said installation.
- D. A separate and independent building sewer shall be provided for every building; except where special permission is granted by the Superintendent together with the consent of the Village Council of the Village of Decatur, Michigan.
- E. Old building sewers or portions thereof may be used in connection with new buildings only when they are found on examination and test by the Superintendent, to meet all requirements of this Ordinance.

(Section IV Paragraph F amended by Ord 50)

- F. The building sewer shall be constructed of any of the following materials; (1) vitrified clay pipe and fittings meeting current ASTM and National Clay Pipe Institute specifications for standard or extra strength clay sewer pipe; (2) service weight cast iron soil pipe and fittings meeting current ASTM specifications; (3) asbestos cement pipe for sewers of 6" diameter shall be Class 1500, Type II; and for 8" diameter, Class 2400, Type II, conforming to ASTM specification c-644; (4) acrylonitrile – Butadiene – Styrene (A.B.S.) sewer pipe and fittings conforming to ASTM tentative specifications designation D-2680-68T; (5) polyvinyl chloride (P.V.C.) and fittings conforming to ASTM specification D-2241-65 and C.S. 255-63, Type I, Grade 2. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that all pipes may be accepted if laid on a suitable improved bed or cradle as approved by the Superintendent.
- G. All joints and connections/ shall be made gas tight and water tight. Vitrified clay sewer pipe shall be fitted with factory made resilient compression joints meeting the A.S.T.M. "Specifications for Vitrified Clay Pipe Joints Having Resilient Properties" (Designation C425). Increase couplers shall be Clow – band seal A.S.T.M. C 594.

Before joining the pipe in the trench, the ball and spigot surfaces shall be wiped free of dirt or other foreign matter. A lubricant or sealer as recommended by the pipe manufacturer shall be applied to the bell and spigot mating surfaces just before they are joined together.

The spigot end shall be positioned into the bell end of the pipe previously laid and shall then be shoved home to compress the joint and to assure a tight fit between the interfaces.

Joints for cast iron soil pipe shall be made by inserting a roll of hemp or jute and thoroughly caulking it into place and then following with pure molten lead well caulked, not less than one inch deep. No paint, varnish or putty will be allowed in the joints until they have been tested and approved. Joints for all other pipe shall be made in accordance with the manufacturer's recommendation.

- H. The size and slope of the building sewers shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-eighth (1/8) inch per foot. A slope of one-fourth (1/4) inch per foot shall be used wherever practical.
- I. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification (Designation C12) except that no back fill shall be placed until the work has been inspected by the Superintendent or his representative.
- J. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No Water operated sewage ejector shall be used.
- K. The connection of the building sewer into the public sewer shall be made at the "y" branch designated for that property, if such branch is available at a suitable location. Any connection not made at the designated "Y" branch in the main sewer, shall be made only as directed by the said Superintendent.
- L. The applicant for the building sewer shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the said Superintendent or his representative.
- M. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

SECTION V.....USE OF THE PUBLIC SEWERS

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.
- B. No person shall discharge or cause to be discharged to any public sewer, any harmful waters or wastes, whether liquid, solid or gas, capable of causing obstruction to the flow in sewers, damage or hazard to structures, equipment and personnel of the sewage works, or other interference with the proper operation of the sewage works.
- C. The admission into the public sewers of any waters or wastes having harmful or objectionable characteristics shall be subject to the review and approval of the Superintendent, who may prescribe limits of the strength and character of these waters and wastes. Where necessary, in the opinion of the Superintendent, the owner shall provide at his expense, such preliminary treatment as may be necessary to treat these wastes prior to discharge to the public sewer. Plans, specifications, and any other pertinent information relating to proposed preliminary facilities shall be submitted for the approval of the said Superintendent and of the State Board of Health, and no construction of such facilities shall be commenced until said approval is obtained in writing. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

- D. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Where installed, they shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

SECTION VI.....PROTECTION FROM DAMAGE

Any unauthorized person who shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works, shall be guilty of a misdemeanor.

SECTION VII.....POWERS & AUTHORITY OF INSPECTORS

The Superintendent, inspector, and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Ordinance, at all reasonable times.

SECTION VIII.....PENALTIES

- A. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not to exceed One Hundred Dollars (\$100.00) and the costs of prosecuting, or in default of payment hereof, by imprisonment in the County Jail for not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the Court. Each day that a violation is permitted to exist shall constitute a separate offense.
- B. Any person violating any of the provisions of this Ordinance shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation.

SECTION IX.....VALIDITY

- A. All Ordinances or parts of ordinances in conflict herewith are hereby repealed.
- B. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

SECTION XEFFECTIVE DATE

This ordinance shall become effective on the 14 day of August, 1971

Adopted by the Village Council of the Village of Decatur, Michigan on the 15 day of July, 1971