

SEWER USE ORDINANCE NO.141

AN ORDINANCE regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system; and providing penalties for violations thereof, in the Township of Littlefield, County of Emmet, Michigan.

BE IT ORDAINED and enacted by the Township Board of Littlefield Township, Emmet County, Michigan, as follows:

ARTICLE I. Definitions:

SECTION 1 – Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

A: “Authority” shall mean the Harbor Springs Area Sewage Disposal Authority which, jointly with the Township, has jurisdiction over the use and operation of the Treatment Works.

B: “B.O.D. (denoting Biochemical Oxygen Demand) shall mean the quantity of oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees C., expressed in milligrams per liter.

C: “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.

D: “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

E: “Classes of Users” shall mean the division of sanitary sewer customers into classes by similar process or discharge flow characteristics, as follows:

- (1) Residential User - shall mean an individual home or dwelling unit including individual units of mobile homes, apartments, condominiums or multi-family dwellings that discharge only segregated domestic wastes or wastes from sanitary conveniences.
- (2) Commercial User - shall mean any retail or wholesale business engaged in selling merchandise or a service and that discharges only segregated domestic wastes or wastes from sanitary conveniences.
- (3) Institutional User - shall mean any educational, religious or social organization such as a school, church, nursing home, hospital or other similar entity that discharges only segregated domestic wastes or wastes from sanitary conveniences.

(4) Governmental User - shall mean any federal, state or local government office or government service facility that discharges only segregated domestic wastes or wastes from sanitary conveniences

(5) Industrial User shall mean any manufacturing establishment which provides a product from raw or purchased material. This category shall also refer to any user of the publicly owned treatment works identified in the Standard Industrial Classification Manual, under Divisions A, B, D, E, or I, excluding those users already identified in one of the other user classes. A user may also be excluded from the "Industrial User" class if it is determined that such user will discharge only segregated domestic wastes or wastes from sanitary conveniences.

E: "Compatible Pollutant" shall mean biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus any additional pollutants identified in the MDEQ discharge permit if the treatment works was designed to treat such pollutants, and in fact can remove such pollutants to the substantial degree. The term substantial degree generally means removals in the order of 80 percent or greater.

G: "Combined Sewer" shall mean a sewer receiving both surface run-off and sewage.

H: "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

I: "Guest House" shall mean an accessory dwelling unit used for temporarily housing visitors to a zoning parcel that also contains a single family residence. This term shall not apply to an accessory dwelling unit that is occupied for more than 3 months of a calendar year or that is rented under any circumstances.

J: "Incompatible Pollutant" shall mean any pollutant that is not a compatible pollutant, as defined in Section 6 above.

K: "Industrial Cost Recovery" shall mean the recovery from each Industrial User, as defined, a portion of the U.S. Environmental Protection Agency grant which is allocated to the construction of facilities for the treatment of wastes from said industries.

L: "Infiltration" shall mean any wastes entering the system from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include and is distinguished from inflow.

M: "Infiltration/Inflow" shall mean the total quantity of water from both infiltration and inflow.

N: "Inflow" shall mean any waters entering the system through such sources as, but not limited to, building downspouts, footing or yard drains, cooling water discharges, seepage lines from springs and swampy areas and storm drain cross connections.

O: “Inspector” shall mean any person or persons authorized by the Township or the Authority to inspect and approve the installation of building sewers and their connection to the public sewer system.

P: “Major Contributing Industry” shall mean an Industrial User, as defined, that discharges (a) a flow of 50,000 gallons or more per average work day, (b) a flow exceeding five (5) percent of the total treatment plant flow, (c) toxic pollutants in toxic amounts as defined in the MDEQ discharge permit, or (d) a flow with a significant impact on the treatment plant when considered alone or in combination with other Industrial Users.

Q: “Manager” shall mean the manager of the Harbor Springs Area Sewage Disposal Authority, or his authorized deputy, agent, or representative.

R: “Natural Outlet” shall mean any outlet into a water-course, pond, ditch, lake or other body or surface or groundwater.

S: “Normal Strength Sewage” shall mean a sanitary wastewater flow containing an average daily BOD of not more than 200 mg/l or an average daily suspended solids concentration of not more than 250 mg/l.

T: “MDEQ Discharge Permit” shall mean the permit issued by the Michigan Department of Environmental Quality for the discharge of wastewaters into the groundwaters of the state.

U: “Operation and Maintenance Costs” shall mean all costs, direct and indirect, (other than debt service) necessary to insure adequate wastewater treatment, collection, and transportation on a continuing basis, conforming with all related federal, state and local requirements, and assure optimal long term facility management (these O & M costs include depreciation and replacement costs).

V: “Person” shall mean any individual, firm, company, association, society, corporation, group or entity.

W: “pH” shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

X: “Pretreatment” shall mean the treatment of high strength wastewater flows in privately owned pretreatment facilities prior to discharge into the public sewer.

Y: “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch in dimension.

Z: “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is jointly controlled by the Township and Authority.

AA: “Replacement” shall mean necessary expenditures made during the service life of the Treatment Works to replace equipment and plant appurtenances required to maintain the intended performance of the Treatment Works

BB: “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

CC: “Sewage” shall mean a combination of the liquid and water-carried wastes from residences, commercial buildings, institutions, and industrial establishments, (including polluted cooling water) together with such ground, surface, and storm waters as may be presented.

The three most common types of sewage are:

(1) Sanitary sewage - shall mean the combination of liquid and water carried wastes discharged from toilet and other sanitary plumbing facilities.

(2) Industrial sewage - shall mean a combination of liquid and water carried wastes, discharged from any industrial establishment, and resulting from any trade or process carried on in that establishment (this shall include the wastes from pretreatment facilities and polluted cooling water).

(3) Combined sewage - shall mean wastes including sanitary sewage, industrial sewage, storm water, infiltration and inflow carried to the wastewater treatment facilities by a combined sewer.

DD: “Sewage Treatment Facility” shall mean any arrangement of devices and structures used for treating sewage.

EE: “Sewage Works” shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

FF: “Sewer” shall mean a pipe or conduit for carrying sewage

GG: “Sewer District #1” All those areas which were parts of the original construction plans as defined by Williams & Works for which the Michigan Department of Public Health issued sewer permit #S-730687 on September 18, 1973.

HH: “Sewer District #2” All those areas contemplated by the Environmental Impact Statement (EPA-MI-800981), Alternative Waste Treatment Systems for Rural Projects, Case Study Number 3, prepared by WAPORA, Inc dated 1980 which would serve those areas around Pickerel & Crooked Lakes.

II: “Sewer District #3” All those area on M-68 east of the Village of Alanson as defined by attached map. (Exhibit A)

JJ: (Others to be added later as Township of Littlefield deems necessary).

KK: “Shall” is mandatory: “May is permissive.

LL: “Significant Industrial User” shall mean: (1) All categorical industrial users as defined Title 40 of the Code of Federal Regulations; (2) Any noncategorical industrial user that (a) discharges 25,000 gallons or more per day of process wastewater, or (b) contributes a process waste stream which makes up five (5%) percent or more of the average dry weather hydraulic or organic capacity of the treatment plant or (c) has a reasonable potential, in the opinion of the Township, to adversely affect the Treatment Works (i.e., inhibition, pass through of pollutants, sludge contamination, or endangerment of Treatment Works workers.

MM: “Single Family Residence” shall mean a single zoning parcel that contains residential quarters designed for and occupied by one family. For purposes of this ordinance, a family consists of one or two persons or parents, with their direct lineal descendants and adopted children, together with not more than two unrelated persons, all of whom live together as a single housekeeping unit.

NN: “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quality of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hour concentration or flows during normal operation.

OO: “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

PP: “Superintendent” shall mean the person designated by the township board to manage the sewage works within the Township of Littlefield, Emmet County, Michigan.

QQ: “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids: and which are removable by laboratory filtering.

RR: “Township” shall mean the Township of Littlefield, as represented by the Township Board, which jointly with the Authority, has jurisdiction over the use and operation of the Treatment Works.

SS: “Treatment Works” shall mean all facilities for collecting, pumping, treating and disposing of sewage, as defined in Section 30 above. Also called “POTW” – Publicly Operated Treatment Works.

TT: "User O & M Charge" shall mean the charge levied on all users of the Treatment Works for the cost of operation and maintenance, including replacement and depreciation, of such Treatment Works.

UU: "User Debt Retirement Charge" shall mean the charge levied on all users of the Treatment Works for the cost of any bond debt of which debt repayment is to be met from the revenues of such works.

VV: "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II: Use of Public Sewers Required:

Section 1: Disposal of sewage in sanitary manner required. 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 Township of Littlefield, Emmet County, Michigan, or in any area under the jurisdiction of said Township, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes.

Section 2: Unlawful discharge. It shall be unlawful to discharge to any natural outlet within the Township of Littlefield, or in any area under the jurisdiction of said Township, any sanitary sewage industrial sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance, and the statutes and regulations of the State of Michigan.

Section 3: Privies; outhouses. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4: Connection to sewer within 200 feet. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Township or any area under the jurisdiction of the Township, and abutting any street, alley, or right-of-way, in which, within two hundred (200) feet of the nearest point from the structure in which sewage originates, there is now located or may in the future be located a public sewer or combined sewer of the Township, is hereby required at his own 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 when given official notice to do so, provided that such connection shall not be required to be made less than six (6) months after the sewer, so located is constructed and made available for connection thereto.

Section 5: Information that may be required. Any industry or structure discharging process flow to the sanitary sewer, storm sewer or receiving stream shall file the material listed below with the Superintendent and Manager.

The Township Board may require each person who applies for or receives sewer service, or through the nature of the enterprise creates a potential environmental problem to file the material listed below:

- a. File a written statement setting forth the nature of the enterprise, the source and amount of water used, the amount of water to be discharged with its present or expected bacterial, physical, chemical, radioactive, or other pertinent characteristics of the wastes.
- b. Provide a plan map of the building, works, or complex, with each outfall to the surface waters, sanitary sewer, storm sewer, natural watercourse, or ground waters noted, described, and the waste stream identified.
- c. Sample test, and file reports with the Superintendent, Manager, and the appropriate State agencies on appropriate characteristics of wastes on a schedule, at locations, and according to methods approved by the Superintendent and Manager.
- d. Place waste treatment facilities, process facilities, waste streams, or other potential waste problems under the specific supervision and control of persons who have been certified by an appropriate state agency as properly qualified to supervise such facilities.
- e. Provide a report on raw materials entering the process or support system, intermediate materials, final product, and waste by-products as those factors may affect waste control.
- f. Maintain records and file reports on the final disposal of specific liquids, solids, sludges, oils, radioactive materials, solvents or other wastes.
- g. If any industrial process is to be altered as to include or negate a process waste or potential waste, written notification shall be given to the Superintendent and Manager subject to approval.

Section 6: Additional rules, regulations, ordinances. The Township may make and adopt such further rules, orders, regulations, guidelines, and policies as it deems advisable and necessary to assure the efficient and proper use of sewers, installation and connection of building sewers, and discharge of wastes into the public sewer system, all in accordance with this Ordinance. Such rules, orders, regulations guidelines, and policies shall be effective upon approval by the Township Board.

ARTICLE III: Private Sewage Disposal

Section 1: Unavailability of public sewer. Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be

connected to the private sewage disposal system complying with all requirements imposed by the State of Michigan, its agencies, and the local health department.

Section 2: Expense of operation of private sewage disposal facilities. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Township or the Authority.

Section 3: Later availability of public sewer. At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Article II, Section 4, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Section 4: Additional requirements of state and local agencies. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the State of Michigan, its agencies, or the local health department.

ARTICLE IV: Building Sewers and Connections:

Jurisdiction over the regulation of building sewers shall be vested in both the Township and the Emmet County Plumbing Board. The Township's jurisdiction shall extend from the public sewer system to the property line of the property for the relevant building sewer. The Plumbing Board's jurisdiction shall extend from the property line into and including the relevant property and building. The Township and the Emmet County Plumbing Board shall be responsible for all project reviews, permits, and inspections consistent with their jurisdictional authority

Section 1: Sewer permit required. 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 Township. Before a permit may be issued for excavating for plumbing in any public street, way, or alley, the person applying for such permit shall have executed unto the Township of Littlefield and deposited with the Treasurer a corporate surety bond in an amount determined from time to time by resolution by the township board conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules, and regulations established under the authority or any ordinances of the Township of Littlefield pertaining to sewers and plumbing. This bond shall state that the person will indemnify and save harmless the Township of Littlefield and the owner of the premises against all damages, costs, expenses, outlays, and claims of every nature and kind arising out of unskillful ness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this ordinance. Such bond shall remain in force and must be executed for a period of one (1) year except that on such expiration it shall maintain in force as to all penalties, claims, and demands that may have accrued there under prior to such expiration.

Section 2: Classes of sewer permits; permit applications. There shall be two (2) classes of building sewer permits: (a) for residential, commercial, institutional, and governmental service, and (b) for service to establishments producing industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the said Township. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent and Manager. A permit and inspection fee for each class of user in an amount determined from time to time by resolution of the township shall be paid to the Township Treasurer at the time the application is filed.

Section 3: Costs for installation of building sewer. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said Township from any loss or damage that may directly or indirectly be occasioned by said installation.

Section 4: Separate building sewers. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Other exceptions will be allowed only by special permission granted by the Superintendent and Manager.

Section 5: Reuse of old building sewers. 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 Inspector to meet all requirements of this ordinance.

Section 6: Building sewer specifications. The building sewer shall be constructed of either of the following types of pipe meeting the current A.S.T.M. Specifications;

- a. Plastic (ABS) ASTM D 1527 SDR 35 or Schedule 40
- b. Plastic (PVC) ASTM D 1785 Schedule 40; or ASTM D3034 SDR 35
- c. Cast Iron Extra Heavy ASTM A-74

If installed in filled or unstable ground, the building sewer shall be of cast iron extra heavy pipe, except the other types of pipe may be used if laid on a suitable improved bed or cradle as provided by the Superintendent and Manager.

Section 7: Joints and connections. All joints and connections shall be gas tight and water tight and shall conform to the requirements of the current building and plumbing codes.

Section 8: Size and slope of building sewers. The size and slope of the building sewers shall be subject to the approval of the Inspector, but in no event shall the diameter be less than four (4) inches. Minimum grade shall be as follows:

6-inch pipe - 1/8" per foot or 1" per 8 feet
4-inch pipe - 1/4" per foot or 2" per 8 feet

Section 9: Elevation and location of building sewers. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. 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 Inspector. Pipe laying and backfill shall be performed in accordance with current A.S.T.M. Specifications except that no backfill shall be placed until the work has been inspected by the Inspector or his representative.

Section 10: Low building drains; lifting to building sewer. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer.

Section 11: Connection of building sewer to public sewer. The connection of the building sewer into the public sewer shall be made at the "Y" branch designated for the 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 Inspector and approved by the Manager.

Section 12: Inspection of building sewer. The applicant for the building sewer shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector or his representative.

Section 13: Protection of excavations; restoration of public property. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, and parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Township and the Emmet County Road Commission.

Section 14: No connection without capacity. No connections will be allowed unless there is capacity available in downstream sewers, pump stations, interceptors, force mains and treatment facility, including capacity for B.O.D. and suspended solids in the sewage treatment facility.

ARTICLE V. Use of the Public Sewers:

Section 1: Discharges of storm water and other types of water to sewer prohibited. No person shall discharge or cause to be discharged any storm water, surface water,

groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 2: Discharge of unpolluted drainage. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the appropriate state agency. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the appropriate state agency, to a storm sewer or natural outlet.

Section 3: Prohibited Discharge Standards.

A. General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to special pretreatment standards or any other National, State, or local pretreatment standards or requirements.

B. Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
- (2) Wastewater having a pH less than 5.5 or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment;
- (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference;
- (4) Conventional Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW. Specific limitations for conventional pollutants include:

| | |
|-----------------------------|----------|
| BOD5 | 200 mg/l |
| Total Suspended Solids | 250 mg/l |
| Total Phosphorus | 7 mg/l |
| Ammonia | 45 mg/l |
| Fats, Oils and Grease (FOG) | 50 mg/l |

Discharges of conventional pollutants above these limits may be permitted by the Township with an associated surcharge for high strength sewage as required under the Township's Sewer Rate and Connection Ordinance.

- (5) Wastewater having a temperature greater than 150°F or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- (8) Trucked or hauled pollutants, except at discharge points designated by the Township;
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the discharge permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Township;
- (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- (14) Medical wastes, except as specifically authorized by the Township in a wastewater discharge permit;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW; or

(17) The following pollutants shall have limitations set forth to comply with current State and Federal discharge standards to protect against pass through and interference.

- arsenic
- benzene
- beryllium
- cadmium
- chromium
- copper
- cyanide
- lead
- mercury
- nickel
- selenium
- silver
- total phenols
- zinc

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise.

Section 4: Acceptance, rejection, limitation, and pretreatment of certain wastewater. The Township reserves the right to contract with any Industrial User to allow said industry to use available excess capacity for discharging wastewaters that exceed the limits to "Normal Strength Sewage". If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 3 of this Article, and which in the judgment of the Superintendent or Manager may have a deleterious effect upon the Sewage Works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Township of Littlefield may:

- a. Reject the wastes.
- b. Require pretreatment to the level defined as "Normal Strength Sewage".
- c. Require pretreatment to an acceptable level for discharge to the public sewers.
- d. Require control over the quantities and rates of discharge.
- e. Require all industrial customers or industries with significant changes in strength or flow to submit prior information to the Township and Authority concerning the proposed flows.

If the Superintendent and Manager permit the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and Manager and subject to the requirements

of all applicable codes, ordinances and laws. Any such agreement shall include applicable surcharges.

Section 5: Grease traps. Grease, oil, and sand interceptors shall be provided when, in the judgment of the Superintendent and Manager they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwellings units. All interceptors shall be of a type and capacity approved by the Township of Littlefield, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 6: Maintenance of pre-treatment facilities. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

Section 7: Manholes and sampling equipment. When required by the Township of Littlefield, the owner of any property serviced by a building sewer carrying industrial or high strength wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent and Manager. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 8: Standards for measurements, tests, and sampling. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the most recent edition of the "Standard Methods for the Examination of Water and Sewage" and shall also conform with the current version of Title 40 of the Code of Federal Regulations (40 CFR), which establishes guidelines for testing procedures for analysis of pollutants. All measurements, tests, and analyses shall be determined at the control manhole and upon suitable samples taken at said manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected.

Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the Sewage Works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determined whether a 24 hour composite of all outfalls of a premise is appropriate or whether grab sample or samples should be taken.

Section 9: Pretreatment of cooling water. Industrial cooling water containing such pollutants as insoluble oils or grease or other suspended solids shall be pretreated for removal of the pollutants and then discharged to the storm sewer.

Section 10: Authorization to entry property for testing. Agents of the Township, Authority, Michigan Department of Environmental Quality or U.S. Environmental Protection Agency shall have the right to enter all properties for the purpose of inspecting, measuring, sampling and testing the wastewater discharge.

ARTICLE VI: Protection From Damage:

Section 1: Damage to sewer works prohibited. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the Sewage Works. Any person violating this provision shall be subject to the penalties identified in Article VIII, and any other applicable charges and penalties provided by federal and/or state law.

ARTICLE VII: Powers and Authority of Inspectors:

Section 1: Right of entry for inspection. The Superintendent, Manager, Inspector, and other duly authorized employees of the Township and Authority 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.

ARTICLE VII. PENALTIES

Section 1. Municipal civil infractions. Any violator of this Ordinance may be deemed responsible for a municipal civil infraction as defined by Michigan statute, which shall be punished by a civil fine determined in accordance with the following schedule:

| | Minimum | Maximum |
|-------------------------------------------|----------|-----------|
| 1st Offense within 3-year period* | \$ 75.00 | \$ 500.00 |
| 2nd Offense within 3-year period* | 150.00 | 500.00 |
| 3rd Offense within 3-year period* | 325.00 | 500.00 |
| 4th or more Offense within 3-year period* | 500.00 | 500.00 |

* Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Littlefield Township has been put in connection with the municipal civil infraction. In no case however, shall costs of less than \$9 nor more than \$500 be ordered. Each day that a violation exists shall constitute a separate offense.

Section 2. Public nuisance. A violation of this Ordinance is also declared to be a public nuisance, and the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, damages, or

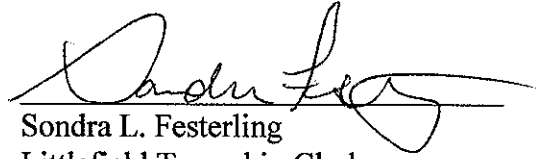
Clerk's Certification

I hereby certify this Ordinance was adopted by the Littlefield Township Board at a regular meeting held on December 4, 2007, and that the vote was as follows:

FOR: Damien Henning
 Sondra Festerling
 Kimberli Shomin
 Cathryn Derrohn
 Dean Morford

AGAINST: None

I further certify this Ordinance, or a summary thereof, was published in the *Petoskey News-Review* on December 20, 2007.


Sondra L. Festerling
Littlefield Township Clerk

I further certify that a copy of this Ordinance was filed with the Emmet County Clerk on December 21, 2007.