

ORDINANCE NO. 1

“Sanitary Code for Sugar Springs”

An Ordinance regulating the use of public and private sewers and drains, the installation and connection of building sewers and lateral sewers, providing for employment of a District Inspector, providing permits and fixing fees for the installation and connection of sanitary sewers, regulating the discharge of waters and wastes into the public sewer system and providing penalties for the violation of the provisions thereof; in that portion of Butman Township known as Sugar Springs.

Adopted on December 6, 1973

BUTMAN TOWNSHIP

ORDINANCE NO. 1

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND LATERAL SEWERS, PROVIDING FOR EMPLOYMENT OF A DISTRICT INSPECTOR, PROVIDING PERMITS AND FIXING FEES FOR THE INSTALLATION AND CONNECTION OF SANITARY SEWERS, REGULATING THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF; IN THAT PORTION OF BUTMAN TOWNSHIP KNOWN AS SUGAR SPRINGS

The Township Board of Butman Township, Gladwin County, Michigan, does ordain as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 1. Short Title. This Ordinance shall be known as the "SANITARY CODE FOR SUGAR SPRINGS".

Sec. 2. Purpose. This Ordinance is intended to provide rules and regulations for the use and construction of sanitary sewer facilities installed, or hereafter installed, altered or repaired within that portion of Butman Township known generally as the "Sugar Springs Development" and more particularly described in Exhibit "A" attached hereto and hereby made a part hereof.

Sec. 3. Rules and Regulations. The following rules and regulations respecting sewer construction and disposal of sewage and drainage of buildings and connection to the sewage works maintained and operated by Butman Township are hereby adopted for the health and safety of the persons and property within the Township, and all work in respect thereto shall be performed as herein required and not otherwise.

Sec. 4. Relief on Application. When any person by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his premises, he may make written application to the Township Board, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

Sec. 5. Relief on Own Motion. The Township Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and Ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

Sec. 6. Protection from Damage. No unauthorized person shall maliciously, wilfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sanitary sewer system maintained and operated by Butman Township. Any person violating this provision shall be subject to the penalties provided by law.

Sec. 7. Interruption of Service. The Township shall make all reasonable efforts to eliminate interruption of service, and when such interruption occurs, will endeavor to reestablish service with the shortest possible delay. Whenever service is interrupted for purpose of working on the sewer system or the treatment equipment all consumers affected by such interruption will be notified in advance whenever it is possible to do so. The Township shall, in no event, be held responsible for claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the service caused by the breaking of machinery or stoppage for necessary repairs; and no person shall be entitled to damages for any interruption.

ARTICLE II. DEFINITIONS

Sec. 1. Sugar Springs shall mean that portion of Butman Township known generally as "Sugar Springs Development" and more particularly described in Exhibit "A" attached hereto and hereby made a part hereof.

Sec. 2. Township shall mean Butman Township, Gladwin County, Michigan.

Sec. 3. County shall mean Gladwin County, Michigan.

Sec. 4. Board shall mean the Township Board of said Township.

Sec. 5. Manager shall mean the person or persons appointed by the Board to administer and enforce the rules and regulations of the Township.

Sec. 6. Inspector shall mean the Township Inspector and shall mean any person or persons duly authorized by Township to inspect and approve the installation of building sewers and their connection to the public sewer system, building plumbing, and drainage systems.

Sec. 7. Person shall mean any human being, individual, firm, company, partnership, association and private or public or municipal corporation, the United States of America, the State of Michigan, a district and any political subdivision, governmental agency or mandatory thereof.

Sec. 8. Permit shall mean any written authorization required pursuant to this or any other regulation of Township for the installation of any sewage works.

Sec. 9. Building shall mean any structure containing sanitary facilities.

Sec. 10. Applicant shall mean the person making application for a sewage permit for a sewer or plumbing installation and shall be the owner of premises to be served by the sewer for which a permit is requested or his authorized agent.

Sec. 11. Contractor shall mean an individual, firm, corporation, partnership or association duly licensed by the State of Michigan to perform the type of work to be done under the permit.

Sec. 12. Street shall mean any public highway, road, street, avenue, alley, way, public place, public easement or right-of-way.

Sec. 13. Sewage Works shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Sec. 14. Sewage shall mean a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments.

- Sec. 15. Sewer shall mean a pipe or conduit for carrying sewage.
- Sec. 16. Public Sewer shall mean a sewer maintained and operated by the Township and lying within a public street.
- Sec. 17. Combined Sewer shall mean a sewer receiving both surface runoff and sewage.
- Sec. 18. Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- Sec. 19. Storm Sewer or Storm Drain shall mean a sewer which carries storm and surface or ground waters and drainage, but excludes sewage and polluted industrial wastes.
- Sec. 20. Main Sewer shall mean a public sewer designed to accomodate more than one lateral sewer.
- Sec. 21. Lateral Sewer shall mean the portion of a sewer lying within a public street connecting a building sewer to the main sewer.
- Sec. 22. Building Sewer shall mean that portion of any sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line or to a private sewage disposal system.
- Sec. 23. Side Sewer shall mean the sewer line beginning at the foundation wall of any building and terminating at the main sewer and includes the building sewer and lateral sewer together.
- Sec. 24. Private Sewer shall mean a sewer serving an independent sewage disposal system not connected with a public sewer and which accomodates one or more buildings or industries.
- Sec. 25. Outside Sewer shall mean a sanitary sewer beyond the limits of the Township not subject to the control or jurisdiction of Township.
- Sec. 26. Plumbing System shall mean all plumbing fixtures and traps, or soil, waste, special waste and vent pipes, and all sanitary sewer pipes within a building and extending to the building sewer connection three (3) feet outside the building wall.
- Sec. 27. Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.
- Sec. 28. 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 five feet outside the inner face of the building wall.
- Sec. 29. Industrial Wastes shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- Sec. 30. Garbage shall mean solid wastes from the preparation, cooking, and the dispensing of food, and from the handling, storage and sale of produce.
- Sec. 31. Properly Shredded Garbage shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow

conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

ARTICLE III

USE OF PUBLIC SEWERS REQUIRED AT SUGAR SPRINGS

Sec. 1. Disposal of Wastes. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property at Sugar Springs, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial waste.

Sec. 2. Treatment of Wastes Required. It shall be unlawful to discharge to any stream or watercourse at Sugar Springs any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this Ordinance.

Sec. 3. Unlawful Disposal. Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage at Sugar Springs.

Sec. 4. Occupancy Prohibited. No building, industrial facility or other structure shall be occupied until the Owner of the premises has complied with all rules and regulations of Township.

Sec. 5. Sewer Required. The Owner of any building situated within Sugar Springs and abutting on any street in which there is now located or may in the future be located a public sewer, is hereby required at his expense to connect said building directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line within which the building is situated.

ARTICLE IV.

PRIVATE SEWAGE DISPOSAL AT SUGAR SPRINGS

Sec. 1. Sewer Not Available. Where a public sewer is not available under the provisions of Article III, Section 5, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the State Board of Health.

Sec. 2. Cost of Maintenance by Owner. The Owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Township.

Sec. 3. Abandonment of Facilities. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, Section 5, a direct connection shall be made to the public sewer in compliance with the ordinances, rules and regulations of Township, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Sec. 4. Additional Requirements. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by any law, ordinance, rule or regulation, or by the County Sanitarian.

ARTICLE V

BUILDING SEWERS, LATERAL SEWERS AND CONNECTIONS

Sec. 1. Permit and Inspection Required. No person shall construct a building sewer or lateral sewer, or make a connection with, or opening into, or use, alter or disturb any public sewer without first obtaining a written permit from the Township and paying all fees and connection charges as required herein. The construction of a building sewer or lateral sewer, the connection with or opening of, or use, alteration or disturbance of any public sewer is subject to inspection by the Township.

Sec. 2. Security. Before a permit may be issued for excavating for plumbing in any street, the person applying for such permit shall have executed unto the Township and deposited with the Township a corporate surety in the sum of \$1,000.00 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 ordinance of the Township pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the Township and the owner of the premises against all damages, costs, expenses, outlays, and claims of every nature and kind arising out of unskillfulness 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 year except that on such expiration it shall remain in force as to all penalties, claims, and demands that may have accrued thereunder prior to such expiration.

Sec. 3. Protection of Excavation. All excavations for a side sewer installation or connection to public sewer shall be adequately guarded with barricades or lights so as to protect the public from hazard. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be restored in a manner satisfactory to the Township and the County or any other person having jurisdiction thereover.

Sec. 4. Maintenance of Side Sewer. Side sewers shall be maintained by the Owner of the property served thereby.

Sec. 5. Separate Side Sewers. Each separate building shall be connected to the main sewer with a separate side sewer, except that one or more buildings located on property owned by the same person may be served by the same side sewer if the Township Engineer determines that it is unlikely that the ownership of said property can or will be divided in the future. However, if for any reason, the ownership of said property is subsequently divided, each building under separate ownership shall be provided with a separate side sewer, and it shall be unlawful for the owner thereof to continue to use or maintain such common side sewer.

Sec. 6. Minimum Size and Slope of Side Sewers. Pipe for side sewers shall have an internal diameter equal to or greater than that of the building drain to which it connects and in any case the minimum diameter shall be 4 inches. Where more than 150 fixture units are to be connected, the side sewer shall have a 6-inch minimum diameter. When more than one building sewer is allowed to be connected to a single side sewer, the side sewer from the point of intersection of one or more building sewers to the public sewer shall be not less than 6-inch diameter.

The minimum slope for 4-inch diameter side sewers shall be one and one-half feet per 100 feet (1.5 percent) provided, however, that where unusual conditions exist making it impractical to obtain this

slope, a 4-inch diameter side sewer may have a slope of not less than one foot per 100 feet (1.0 percent) when specifically approved by the Township. The minimum slope for side sewers greater than 4 inches in diameter shall be one-half foot per 100 feet (0.5 percent).

Sec. 7. Elevation. 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.

Sec. 8. Specifications. The building sewer shall be constructed of either Vitrified Clay Sewer Pipe and Fittings meeting the current A.S.T.M. Specifications for Standard or Extra Strength Clay Sewer Pipe, Asbestos Cement meeting the current A.S.T.M. Specifications, Extra Heavy Cast Iron Soil Pipe meeting the current A.S.T.M. Specifications or the Department of Commerce Commercial Standards for Extra Heavy Cast Iron Soil Pipe and Fittings or Concrete Sewer Pipe and Fittings meeting the current A.S.T.M. Specifications for Standard or Extra Strength Concrete Sewer Pipe, ABS extra strength solid wall plastic pipe (Armco 42-M-4) with chemically welded joints or pipe as permitted in State Plumbing Code. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay pipe or asbestos cement or concrete pipe or plastic pipe may be accepted if laid on a suitable improved bed or cradle as approved by the Inspector.

Sec. 9. Joints and Connections. 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 current A.S.T.M. "Specifications for Vitrified Clay Pipe Joints Having Resilient Properties" (Designation C425). Asbestos cement or concrete sewer pipe joints shall be of the rubber ring, flexible compression type, similar and equal to joints specified for vitrified clay pipe. The joints and connections shall conform to the manufacturer's recommendations.

Sec. 10. Cleanouts. A cleanout shall be installed at the junction of each building sewer and lateral sewer in an accessible location within the street right of way, except, that where the sewer main and lateral is located within a public easement or right of way, other than a street, at the rear or side of the lot, no cleanout need be installed if the run to the first building sewer cleanout is less than one hundred feet (100'). Cleanouts shall be the same diameter as the building sewer. All cleanouts shall be maintained watertight and shall be constructed with a 45 degree riser and a cast iron 1/8 bend set in concrete at the surface of the ground and shall be sealed with a watertight brass screw plug or cap.

Sec. 11. Sewer Too Low. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the Manager, and discharged to the public sewer at the expense of the Owner.

Sec. 12. Backwater Prevention Devices - Maintenance. Where a side sewer serves plumbing fixtures that are located less than one (1) foot above the rim elevation of the upstream manhole or rod hole in the reach of main sewer into which the side sewer connects, it shall be

protected from backflow of sewage by installing a backwater prevention device of a type and in the manner prescribed by the Manager. Any such backflow device shall be installed by the applicant for sewer service at the sole cost and expense of the applicant. The maintenance of the backflow device shall be the sole obligation of the permittee or his successor in interest. The Township shall be under no obligation to ascertain that the backflow device continues in operating condition.

Sec. 13. Connection to Public Sewer. The connection of the building sewer into the public sewer shall be made at the lateral or "Y" branch designated for that property, if such lateral or "Y" branch is available at a suitable location. Where no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building or lateral sewer, with entry in the downstream direction at an angle of about forty-five degrees (45°). A wye saddle shall be used for the connection and in no case shall the pipe protrude inside the main sewer. The invert of the building or lateral sewer at the point of connection shall be at a higher elevation than the invert of the public sewer. A smooth neat joint shall be made, and the connection made secure and watertight by encasement in concrete. The connection to the public sewer shall be made in the presence of the Township Inspector and under his supervision and direction. The permit applicant shall notify the Inspector when the side sewer is ready for inspection and connection to the public sewer. Any damage to the public sewer shall be repaired at the cost of the applicant to the satisfaction of the Township Inspector.

ARTICLE VI. USE OF PUBLIC SEWERS

Sec. 1. Drainage into Sanitary Sewers Prohibited. No leaders from roofs and no surface drains for rain water shall be connected to any sanitary sewer. No surface or sub-surface drainage, rain water, storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.

Sec. 2. Types of Wastes Prohibited. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150° F.
- (b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (c) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- (d) Any garbage that has not 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 one-half inch in any dimension.
- (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- (f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(j) Any septic tank sludge.

Sec. 3. Interceptors Required. Grease, oil and sand interceptors shall be provided when in the opinion of the Township, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be of a type and capacity approved by the Manager, and shall be so located as to be readily and easily accessible for cleaning and inspection.

Sec. 4. Maintenance of Interceptors. All grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times.

Sec. 5. Preliminary Treatment of Wastes. The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids, or (c) containing any quantity of substance having the characteristics described in Section 2, or (d) having an average daily flow greater than two per cent of the average daily sewage flow of the Township, shall be subject to the review and approval of the Township. Where necessary in the opinion of the Township, the Owner shall provide, at his expense, such preliminary treatment as may be necessary to, (a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 2, or (c) control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Township and the Michigan State Board of Health, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Sec. 6. Maintenance of Pretreatment Facilities. 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.

Sec. 7. Control Manholes. When required by the Manager the Owner of any property served by a side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Township. 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.

Sec. 8. Measurements and Tests. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Section 2 and 5 shall be determined in accordance with standard methods and shall be determined at the control manhole provided for in Section 7, or upon suitable samples taken at said control 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 to the point at which the side sewer is connected.

Sec. 9. Special Agreements. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Township and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Township for treatment, subject to payment therefor by the industrial concern and subject to such terms and conditions as might be required by Township.

Sec. 10. Swimming Pools. It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer except in the manner specified herein. The size of pipe carrying discharge water shall not be larger than two inches and shall not be under a head to exceed twenty (20) feet. If the water is discharged by pumping, the rate of flow shall not exceed one hundred (100) gallons per minute. Each swimming pool discharging to a sanitary sewer shall be equipped with an approved separator to preclude any possibility of a backflow of sewage into the swimming pool or piping system.

Sec. 11. Car Washes. From and after the effective date of this regulation the Manager may require that the applicant for any permit which includes a car wash within the facilities to be covered by said permit provide facilities for reclamation and reuse of all or a portion of the water used in the car wash process and the submittal of plans and specifications for the installation of such reclamation and reuse facilities acceptable to the Manager.

ARTICLE VII. INSPECTOR

Sec. 1. Township Inspector, Compensation. The Township Board shall employ some fit and qualified person or persons to perform the duties of inspecting and approving the installation, connection, maintenance and use of all side sewers, public sewers, private sewers, building plumbing and drainage systems, and facilities in connection therewith at Sugar Springs, to be known as the Township Inspector. The person so employed shall receive as compensation for his services for making inspections required to be made by the ordinances, and orders and regulations from time to time enacted and ordered by the Board, a sum to be fixed by the Board. He shall serve during the pleasure of the Board and may be another official of Township. The Board may contract with the County or a city for the employment of a person to serve as Inspector.

Sec. 2. Powers and Authorities of Inspectors. The officers, inspectors, manager and any duly authorized employees of the Township shall wear or carry an official badge of office or other evidence establishing his position as such and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purposes of inspection, reinspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the provisions of this Ordinance.

ARTICLE VIII. PERMITS AND FEES

Sec. 1. Permit Required. No unauthorized person shall, at Sugar Springs, uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance or perform any work on any plumbing or drainage system, or install, alter, or repair a side sewer without first obtaining a written permit from the Township.

Sec. 2. Application for Permit and Payment of Charges. Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the Township for that purpose. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The Township may require plans, specifications or drawings and such other information as it may deem necessary.

In the event the applicant for a permit is required to provide plans, specifications or drawings and information as a condition to the issuance of the permit, the applicant shall pay all engineering, legal, administrative and other expenses and charges prior to the issuance of the permit.

If the Township determines that the plans, specifications, drawings and other information furnished by the applicant are satisfactory and are in compliance with the ordinances, rules and regulations of the Township, it shall issue the permit applied for upon payment of the charges herein referred to and of the fees as herein-after fixed.

Sec. 3. Compliance with Permit. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the sewer, the grade, materials, or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the Township.

Sec. 4. Agreement. The applicant's signature on an application for any permit as set forth in Section 5 hereof, shall constitute an agreement to comply with all of the provisions, terms and requirements of this and other ordinances, rules and regulations of the Township, and with the plans and specifications he has filed with his application, if any, together with such corrections or modifications as may be made or permitted by the Township, if any. Such agreement shall be binding upon the applicant and may be altered only by the Township upon the written request for the alteration from the applicant.

Sec. 5. Time Limit on Permits. If work under a permit be not commenced within six (6) months from the date of issuance or if after partial completion, the work be discontinued for a period of one (1) year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit. If the connection charge applicable at the time of the new permit is greater than that paid at the time of the permit last issued, the difference shall also be paid. Work is defined for the purpose of this Section as construction of the improvements to be served by the sewer system.

Sec. 6. Extensions. The Board, on good cause shown, may grant two extensions of time, without payment of an additional fee, for periods not to exceed three (3) months each.

Sec. 7. Classes of Permits. There shall be three (3) classes of permits, as follows:

- (a) Single family residential dwelling sewer permit;
- (b) Trailer court sewer permit; and
- (c) Multiple family residential dwelling, commercial, industrial, church, school, public and other user sewer permit.

Sec. 8. Sewer Permit and Inspection Fees. Permit and inspection fees are hereby established as follows:

- (a) Single Family Dwellings. A fee of Thirty Dollars (\$30.00) shall be paid for issuance of a permit and inspection of each single family dwelling building and/or lateral sewer installation.
- (b) Trailer Courts. A fee of _____ Dollars (\$ _____) shall be paid for issuance of a permit and inspection of building and/or lateral sewers for each space in a trailer court, with a minimum fee of _____ Dollars (\$ _____) for each building and/or lateral sewer connection.
- (c) Multiple Family Dwellings, Commercial, Industrial, Church, School, Public and Other Users. A fee of Thirty-five Dollars (\$35.00) shall be paid for issuance of a permit and inspection of each building and/or lateral sewer installation serving multiple family dwellings, commercial, industrial, church, school, public, and other users.

Sec. 9. Alteration or Repair of Existing Side Sewers. A fee of Thirty Dollars (\$30.00) shall be paid for issuance of a permit and inspection of any work adding to or extending an existing side sewer. A fee of Thirty Dollars (\$30.00) shall be paid for issuance of a permit and inspection of any repair work done on an existing side sewer.

Sec. 10. Saddle or Manhole Connections. In addition to other permit and inspection fees required herein, a fee of Thirty Dollars (\$30.00) shall be paid for the inspection of a saddle, wye or tee connection to an existing main sewer or the connection of a lateral sewer to an existing manhole.

Sec. 11. Disposition of Fees. All fees collected on behalf of the Township shall be deposited with the proper authority provided by the Township to receive such funds.

Sec. 12. All Work to be Inspected. All sewer construction work, building sewers, plumbing and drainage systems shall be inspected by an inspector acting for the Township to insure compliance with all requirements of the Township. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to a public sewer maintained and operated by Township until the work covered by the permit has been completed, inspected and approved by the Township Inspector. All sewers shall be tested for leakage in

the presence of the Township Inspector and shall be cleaned of all debris accumulated from construction operations. If the test proves satisfactory, the Township shall issue a certificate of satisfactory completion.

Sec. 13. Notification. It shall be the duty of the person doing the work authorized by permit to notify the office of the Township in writing that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the Township before giving the above notification.

Sec. 14. Condemned Work. When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the Owner of the premises, or the agent of such Owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of the Township.

Sec. 15. All Costs Paid by Owner. All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the Owner. The Owner shall indemnify the Township from any loss or damage that may directly or indirectly be occasioned by the work.

Sec. 16. Outside Sewers. Permission shall not be granted to connect any lot or parcel of land outside that area of the Township known as Sugar Springs to the public sewers maintained and operated by Township unless a permit therefor is obtained. The applicant shall first enter into a contract in writing whereby he shall bind himself, his heirs, successors and assigns to abide by all ordinances, rules and regulations in regard to the manner in which such sewer shall be used, the manner of connecting therewith, and the plumbing and drainage required, and he also shall agree to pay all fees required for securing the permit and a monthly fee in the amount set by the Township for the privilege of using such sewer.

Sec. 17. Permit Optional. The granting of such permission for an outside sewer in any event shall be optional with the Board.

Sec. 18. Special Outside Agreements. Where special conditions exist relating to an outside sewer, they shall be the subject of a special contract between the applicant and the Township.

Sec. 19. Street Excavation Permit. A separate permit must be secured from the County or any other person having jurisdiction thereover by Owners or Contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

Sec. 20. Liability. The Township and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by any such applicant. The applicant shall be answerable for, and shall save the Township and its officers, agents and employees harmless from any liability imposed by law upon the Township or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.

ARTICLE IX. ENFORCEMENT

Sec. 1. Violation Unlawful. Following the effective date of this Ordinance it shall be unlawful for any person to connect to, construct, install or provide, maintain and use any other means of sewage disposal at Sugar Springs except by connection to a public sewer in the manner as in this Ordinance provided.

Sec. 2. Violation. Any person found to be violating any provision of this Ordinance except Section 6 of Article I hereof, shall be served by the Manager or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be not less than two nor more than seven working days. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 3. Misdemeanor. Any person who shall continue any violation beyond the time limit provided for in Section 2 shall be guilty of a misdemeanor, punishable by a fine not exceeding \$100.00, or by imprisonment in the County jail not to exceed 90 days, or by both such fine and imprisonment. Each day in which any such violation shall continue shall be deemed a separate offense.

Sec. 4. Public Nuisance. Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this Ordinance, is hereby declared to be a public nuisance. The Township may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

Sec. 5. Disconnection. As an alternative method of enforcing the provisions of this Ordinance, the Township shall have the power to disconnect the user from the sewer mains maintained and operated by the Township. Upon disconnection the Township shall estimate the cost of disconnection from and reconnection to the system, and such user shall deposit the cost, as estimated, of disconnection and reconnection before such user is reconnected to the system. The Manager shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

Sec. 6. Public Nuisance. Abatement. During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the Township shall cause proceedings to be brought for the abatement for the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to the Township a reasonable attorney's fee and cost of suit arising in said action.

Sec. 7. Liability for Violation. Any person violating any of the provision of this Ordinance shall become liable to the Township for any expense, loss or damage occasioned by the Township by reason of such violation.

ARTICLE X. ENACTMENT

Sec. 1. Effective Date. This Ordinance shall be entered in the minutes of the Township Board and shall be published once, within ten (10) days after the passage thereof, in The Gladwin County Record, a newspaper circulated within Butman Township, and shall not take effect until thirty (30) days shall have elapsed after its publication.

Sec. 2. Recordation and Filing. Within one week after its publication, the Township Clerk shall record this Ordinance in a book of ordinances kept by him for that purpose, and file an attested copy of the Ordinance with the County Clerk.

Sec. 3. Separability. The Township Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

* * * * *

I hereby certify that the foregoing ordinance was duly adopted by the Township Board of Butman Township, Gladwin County, Michigan, at a meeting thereof held on the 6 day of DEC., 1973, at which Members BLOCK, ABLER, WILK, ILLIG, and BOWERS were present, by the following vote:

5 AYES, and in favor thereof, Members:

0 NOES, Members:

0 ABSENT, Members:

Dolliver Block
Supervisor

ATTEST:

Max Bowers
Clerk, Butman Township

I hereby certify that the foregoing ordinance was published in The Gladwin County Record, a newspaper circulated within Butman Township, on DEC. 12, 1973, and was filed with the County Clerk on DEC. 12, 1973.

Max Bowers
Clerk, Butman Township

SUGAR SPRINGS DEVELOPMENT

The Sugar Springs Development consists of real property in Sections 8, 9, 10, 15, 16, 17, 19, 20, 21, 22, 28 and 29, all located in T 20 N, R 1 W, Butman Township, Gladwin County, Michigan, and more specifically described as follows:

Section 8 - The E 1/2 of the SE 1/4;

Section 9 - The S 1/2;
The S 1/2 of the NE 1/4;
The SE 1/4 of the NW 1/4;
The South 30 acres of the SW 1/4 of the NW 1/4;

Section 10 - The W 1/2 of the SE 1/4;
The S 1/2 of the NE 1/4, excepting therefrom:
(a) Commencing 691.00 feet South of the Northeast corner of said description, thence West 208.75 feet, thence South 417.00 feet, thence East 208.75 feet, thence North to the point of beginning; and
(b) The North 900.00 feet of the West 484.00 feet of said description;

Section 15 - The SW 1/4;
The NW 1/4, except the SW 1/4 thereof;
The NW 1/4 of the NE 1/4;

Section 16 - All except:
(a) The East 340.00 feet of the North 550.00 feet of the SE 1/4 of the NE 1/4 thereof;
(b) Beginning at the Southeast corner of said Section, thence westerly along the southerly line of said Section to the proposed Lake Lancer shoreline, thence northeasterly along said shoreline to the easterly line of said Section 16, thence South along said easterly line to the point of beginning;
(c) Beginning at the E 1/4 corner, thence S 89°46' W 1130.81 feet, thence N 1°13'35" W 828.00 feet, thence S 89°46' W 500.00 feet, thence S 50°39' W 1310.00 feet, thence S 89°46' W 300.00 feet, thence S 1°05' E 785.48 feet, thence N 89°46' E 300.00 feet, thence N 1°05' W 200.00 feet, thence N 61°46'30" E 1170.07 feet, thence N 89°46' E 1620.17 feet, thence N 0°47'50" W 35.00 feet, to the point of beginning;

Section 17 - The SE 1/4;
The SW 1/4, except the NW 1/4 thereof;
The NE 1/4, except the NW 1/4 of the NW 1/4 thereof;
The NW 1/4, except the W 1/2 thereof;

Section 19 - The E 1/2 of the NE 1/4;
The SE 1/4 of the SE 1/4;

Section 20 - All except: Beginning at the Southwest corner of said Section 20, thence S 89°13'14" E 545.00 feet along the southerly line of said Section, thence N 01°16'24" E 516.85 feet, thence N 89°00'37" W 560.12 feet, thence S 00°23'52" E 519.00 feet along the westerly line of said Section to the point of beginning;

Section 21 - All except: Beginning at the Northeast corner of said Section 21, thence South 175.00 feet along the easterly line of said Section, thence West 745.00 feet, thence North to the proposed Lake Lancer shoreline, thence Northeasterly along said shoreline to the northerly line of said Section, thence easterly along said northerly line to said Section corner;

Section 22 - The W 1/2 of the NE 1/4;
The NW 1/4;
The N 1/2 of the SE 1/4;
The N 1/2 of the SW 1/4, excepting therefrom the south 30 rods of the west 26-2/3 rods thereof;

Section 28 - The N 1/2 of the NW 1/4;
The SE 1/4 of the NW 1/4;

Section 29 - The N 1/2 of the N 1/2.